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APPENDIX

TO

Journals of Senate and Assembly,

OF THE

FIFTEENTH SESSION OF THE LEGISLATURE

OF THE

STATE OF CALIFORNIA.

Volume 2.



SACRAMENTO:

O. M. CLAYES, STATE PRINTER.

1864.

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BOUND BY F. FOSTER, SACRAMENTO.

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THIRD ANNUAL REPORT

OF THE

Trustees of the State Library,

FOR

THE YEAR 1863.

O. M. CLAYES.....STATE PRINTER.

ANNUAL REPORT.

TO THE LEGISLATURE OF THE STATE OF CALIFORNIA :

I have the honor to transmit the annual report of the Trustees of the State Library.

I remain, respectfully,

Your obedient servant,

W. C. STRATTON,
State Librarian, and Secretary of Board of Trustees.

Donor.	Title.	Date.
Delaware	Laws passed in 1861, pamphlet, 2 copie.s..... Laws passed at a Special Session in 1861, pamphlet, 2 copies.....	
Iowa	Supreme Court Reports, by Withrow, Vols. 12 and 13..... Laws passed at an Extra Session held in 1862..... Laws of Iowa, passed at the Regular Session of 1862..... Journals of the Senate of Iowa, for the Extra Session of 1862..... Journals of the House, for the Extra Session of 1862.....	
Kansas	General Laws in force at the close of the Session of the Legislature ending March 6, 1862..... Laws, 2 copies.....	1863
Kentucky.....	Metcalf's Reports of the Supreme Court, Vol. 3..... Acts of the General Assembly, 2 copies..... Report of the Auditor for the year 1862..... Report of Superintendent of Common Schools for the year 1859, 2 copies...	1861—1863
Maine.....	Reports of the Supreme Court, Vol. 47..... Acts and Resolves passed by the Forty-First Legislature..... Legislative Documents..... Agriculture and Geology of Maine. second series.....	1862 1862 1861
Massachusetts..	Allen's Supreme Court Reports, Vols. 2, 3 and 4 Gray's Supreme Court Reports, Vols. 8, 9, and 14..... Massachusetts Special Laws, Vol. 10..... Acts and Resolves passed by the General Court in 1862, pamphlet, 2 vols..... Public Documents, 3 vols..... Report of the Auditor, pamphlets..... Twenty-Sixth Annual Report of the Board of Education, pamphlet.....	1854—1859 1862 1861—1862
Michigan.....	Reports of the Supreme Court, by Cooley, Vol. 10..... Laws passed in 1863..... Adjutant General's Report for the year 1861. pamphlet.....	

Donor.	Title.	Date.
Minnesota.....	Reports of the Supreme Court, Vols. 2, 5, and 7 Session Laws passed during the Fourth Ses- sion of the Legislature, pamphlet.....	1862
	Session Laws passed during the Fifth Session of the Legislature, pamphlet.....	1863
	General and Special Laws passed at an Extra Session of the Legislature, held in Sep- tember.....	1862
	Journal of the Senate of the Fourth Session of the Legislature, held in 1862.....	
	Journal of the House of Representatives of the Fourth Session of the Legislature, held in 1862.....	
	Executive Documents.....	1862
	Governor's Message, delivered to the Legisla- ture at the Special Session, held in 1862, pamphlet.....	
Missouri.....	Reports of the Supreme Court, by Whittel- sey, Vols. 32 and 33.....	
	Laws passed in 1863, 2 copies.....	
N. Hampshire..	Journals of the Senate and House of Repre- sentatives of the June Session, 2 copies.....	1861
	Journals of the Senate and House of Repre- sentatives of the June Session, 2 copies.....	1862
	Laws passed at the June Session, pamphlet, 2 copies.....	1863
	Annual Report upon the Common Schools of New Hampshire, made in June, pamphlet, 2 copies.....	1863
New Jersey.....	Greene's Chancery Reports, Vol. 3.....	
	Legislative Documents.....	1863
	Laws, 2 copies.....	1863
	Report of the Superintendent of Schools for the year 1862, pamphlet.....	
New York	Documents relating to the Colonial History of the State of New York, procured in Hol- land, England, and France, by John Ro- myn Broadhead, Esq., Agent; 10 Vols. and an index.....	
	Natural History of New York, Part 5, Agri- culture, by E. Emmons, Part 6—Paleontolo- gy, by James Hull; Vol. 3, and Vol. 3 of Plates	
	Assembly Documents, session of 1862, 10 vols	
	Senate Documents, session of 1862, 7 vols....	
	Senate Journal, session of 1862, 1 vol.....	
	Assembly Journal session of 1862, 1 vol.....	

Donor.	Title.	Date.
Ohio.....	Executive Documents, 2 vols.....	1861
	Executive Documents, 2 vols.....	1862
	Senate Journal, 1 vol.....	1862
	Assembly Journal, 1 vol.....	1862
	Laws passed in 1862.....	
	School Laws, with blank forms, and opinions of Commissioners, third edition.....	1862
	Reports of the Supreme Court, Vol. 12, by Critchfield.....	
	Sixteenth Annual Report of the Ohio State Board of Agriculture to General Assembly, for the year 1861.....	
	Fifth Annual Report of the Commissioner of Statistics, to the Governor of the State, for the year 1861.....	
	Report of the Superintendent of Schools for the year 1862, pamphlet.....	
	Sixteenth Annual Report of the Commission- ers of the Ohio State Library, pamphlet...	1861
	Message of the Governor to the Fifty-Fifth General Assembly, at the Adjourned Ses- sion of January.....	1863
Oregon	Code of Civil Procedure and other General Statutes	
	Senate Journal.....	1862
	House Journal.....	1862
Pennsylvania...	Supreme Court Reports, Vols. 40, 41, and 42	
	Session Laws passed in 1862.....	
	Session Laws passed in 1863.....	
	Purdon's Digest of the Laws of Pennsylvania from 1700 to 1861, ninth edition, revised by F. C. Brightley	
	Pennsylvania School Architecture. Thomas H. Burrows, Editor.....	
	Common School Laws, with the Decisions of the Superintendent, etc., pamphlet.....	1862
	Executive Documents, Session of 1862.....	
	Legislative Documents, Session of 1863.....	
	Senate Journal, Session of 1863.....	
	House Journal, Session of 1863.....	
	Twenty-Ninth Annual Report of the Mana- gers of the Pennsylvania Institute for the Blind, for the year 1861, pamphlet, 2 copies	
	Thirtieth Annual Report of the Managers of the Pennsylvania Institute for the Blind, for the year 1861, pamphlet.....	
	Annual Report of the Adjutant-General of the Commonwealth of Pennsylvania for the year 1862, pamphlet, 2 copies.....	

Donor.	Title.	Date.
Pennsylvania...	Report of the Quartermaster-General of the Commonwealth of Pennsylvania for the year 1862, pamphlet..... Report of the Surgeon-General of the Commonwealth of Pennsylvania for the year 1862, pamphlet..... Annual Report of the Chief of Transportation and Telegraph Department of the Commonwealth of Pennsylvania for the year 1862, pamphlet..... Journal of the Board of Revenue Commissioners of the Commonwealth of Pennsylvania, pamphlet.....	1863
Rhode Island...	Rhode Island Colony Records, Vol. 8, 2 copies..... Acts and Resolves passed at a Special Session of the General Assembly held in August, pamphlet Acts and Resolves passed at the January Session of the General Assembly, pamphlet.... Acts and Resolves passed at the May Session of the General Assembly, pamphlet..... Acts and Resolves passed at a Special Session of the General Assembly held in June, pamphlet	1776—1779 1863 1863 1863 1863
Utah.....	Acts, Resolves, and Memorials, passed at the Legislative Assembly during the Tenth Annual Session, pamphlet..... Acts, etc., passed at the Eleventh Session, pamphlet	1860—1861 1861—1862
Vermont	Senate Journal for the year 1862..... House Journal for the year 1862..... Acts and Resolves passed in 1862..... Acts and Resolves passed in 1863..... Report of the Adjutant and Inspector-General for the year 1862, pamphlet..... Register of Commissioned Officers of the Vermont Volunteers in the United States service, pamphlet.....	
Virginia	Acts passed at an Extra Session of the Legislature, held at Wheeling, in May, pamphlet.	1862
Wisconsin.....	Reports of the Supreme Court, Vols. 2, 13, 14. Private Laws passed in 1862, 2 copies..... Public Laws passed in 1862, 2 copies..... Laws passed at an Extra Session held in 1862, 2 copies	

cents, (\$424 40); for binding books, three hundred and thirty-four dollars and fifty cents, (\$334 50); for shelving and furniture, five hundred and seventeen dollars and eighty-two cents, (\$517 82); for insurance on the Library, five hundred and thirty-four dollars and fifty cents, (\$534 50); for newspapers, including a complete bound file of the San Francisco Bulletin, three hundred and sixteen dollars, (\$316); and for rent of rooms not provided for by appropriation of the Legislature, three hundred and fifty dollars, (\$350); amounting in the aggregate to the sum of fifteen thousand seven hundred and fourteen dollars and forty-one cents, (\$15,714 41.)

The great increase in the Library Fund has been occasioned by the large number of incorporated companies that have been formed for mining and other purposes; each company incorporated is required to pay five dollars (\$5) for filing in the office of the Secretary of State a certified copy of the certificate of incorporation; if the certificate is recorded an additional fee is paid.

It is to be expected that the sum received from this source will soon decrease, and in a few months entirely cease. It is gratifying to know, however, that the Fund has been so much increased in a manner that is the least felt, and without encroaching upon the General Fund.

We sincerely trust that the Legislature will not only continue the present plan of having all fees collected by the Secretary of State paid into the Library Fund, but make all necessary appropriations for the ordinary expenses of the Library, so that the Fund may be used exclusively for the purchase of books.

INSURANCE.

The Trustees have kept the Library insured in the sum of thirty thousand dollars, (\$30,000.) Should the Library be destroyed that sum would by no means replace all the books, but it would be of material aid in its reconstruction. As there is not great danger of fire, and the per centage for insurance is very high, it was thought best not to insure for a larger sum.

RENT OF LIBRARY ROOMS.

The rent of the Library rooms is one thousand dollars (\$1,000) per year for the first and second story of one building; but the floods of eighteen hundred and sixty-two rendered the first story unfit for use. The Trustees then rented the upper story of an adjoining building, which is now used for the miscellaneous works. The rent of the additional room is six hundred dollars (\$600) per year, which has been paid out of the Library Fund, except two hundred dollars (\$200) appropriated for deficiencies for the fourteenth fiscal year.

We would recommend the Legislature to appropriate one thousand six hundred dollars, (\$1,600,) instead of one thousand dollars, (\$1,000,) for the rent of the State Library rooms.

SHELVING AND ALTERATIONS.

When the Trustees first took charge of the Library, a part of the room in which the law books are kept was partitioned off, and used by

the Secretary of the Judges of the Supreme Court. During the past year the partition has been removed, and proper shelving put up for the reception of books. The great increase of miscellaneous books has required the erection of additional shelving in the department used for that purpose. Shelving has also been constructed in the room immediately below the Law Department, which is used only for the Statutes and Journals of the State, duplicates of Congressional documents, etc.

As the Legislature made no appropriation for shelving, the expense thus incurred has been paid out of the Library Fund.

LAW DEPARTMENT.

It has been the desire of the Trustees to make this department as complete as possible, and they have succeeded in collecting a Law Library as valuable as that of any State in the Union, and one that fully meets the wants of the Bench and Bar of California. Many valuable commentaries and treatises, as well as American and British law reports, have been purchased during the year, and it is believed that the next report of the Trustees will show that the Library contains a copy of each law report ever published in the United States.

MISCELLANEOUS DEPARTMENT.

The additions to this department during the past year have been numerous, and the selections made with great care. The Trustees have succeeded in procuring many of the most valuable works upon American and Foreign History, the Arts and Sciences, as well as general literature, and the Library is now an institution that may be visited with profit and pleasure by the historian and scholar, and all who desire may reap the benefits to be received from a larger and more valuable Library than can often be afforded by individuals.

If we are to keep up with the spirit of inquiry and the advance of learning which mark the present age, we must continue from year to year to make large additions to our State Library. The difficulty and expense of collecting books on this coast will for a long time retard the establishment of large Libraries by societies and individuals. It is therefore necessary that the State should provide one that will meet the requirements of its citizens.

Many of the petty States of Europe (with a smaller number of inhabitants than California) possess libraries far superior to ours. Surely, if monarchies, for the benefit of their subjects, build up public Libraries, stored with learning, how much more readily should the Government of a free State, increasing in wealth and population, afford equal advantages to its citizens?

The money expended by the State for books is not like that expended for many other purposes—lost forever; on the contrary, it is an investment that will for years confer benefits on all who may desire to avail themselves of its advantages.

The Trustees have ordered a large number of books from the Atlantic States and Europe, which have not yet been received. Many of those ordered from the Atlantic States are works upon American history, which the Trustees were desirous of obtaining to complete that department of the Library.

To pay for all the books ordered will nearly exhaust the money now in the Library Fund.

W. W. COPE,
JOS. W. WINANS.
S. HEYDENFELDT,
JOHN F. MORSE,
Trustees of the State Library.



ANNUAL REPORT

OF THE

State Capitol Commissioners,

FOR

THE YEAR 1863.

O. M. CLAYES.....STATE PRINTER.

ANNUAL REPORT.

OFFICE OF STATE CAPITOL COMMISSIONERS, }
December 5th, 1863. }

To His Excellency,
LELAND STANFORD,
Governor of the State of California :

SIR:—In accordance with custom, the State Capitol Commissioners submit herewith a report of their proceedings, and a statement of the disbursements made by them under the provisions of an Act to provide for the construction of the State Capitol Building, in the City of Sacramento, approved April twentieth, eighteen hundred and sixty-three.

A. A. H. TUTTLE,
ALFRED REDINGTON,
State Capitol Commissioners

REPORT.

On the twenty-first of April, eighteen hundred and sixty-three, the Controller of the State certified to this Board that his estimate of the amount of money to be derived from the State Capitol tax, for the fifteenth fiscal year, was sixty two thousand dollars (\$62,000.)

With this estimate as a basis the Board advertised as required by law for sealed proposals for the necessary materials to carry on the work. The bids sent in, in answer to this advertisement, were twenty-three in number, which were opened in the order received, and the lowest bids accepted, as follows:

Bid of E. O. Dana.....	for Granite.
Bid of John Tansman.....	for Cement.
Bid of George Pardoe.....	for Cement.
Bid of James Carlisle.....	for Sand.
Bid of Calvin Nutting.....	for Iron Work.
Bid of H. T. Holmes.....	for Lime.
Bid of John Tansman.....	for Brick.

Contracts were entered into with the several parties whose bids were accepted, with the stipulation that twenty per cent of the amount delivered each month should be retained until the deliveries of the contracts were completed. Sufficient bonds were then given by the contractors for the faithful performance of their agreements.

A detailed statement of expenditures under the Act of April twenty-fifth, eighteen hundred and sixty-three, to December first, eighteen hundred and sixty-three, is appended hereto, marked Exhibit "A."

A statement setting forth the estimated cost of wood and fire proof floors, made up by Robert Clark, Architect, at the suggestion of the Board of Commissioners, is appended, marked Exhibit "B."

An estimate of the comparative cost of freestone and iron and stucco finish of the building above the basement story, was requested by the Board from the Architect, it having come to their knowledge that an inexhaustible quarry of freestone had been found at a point easily accessible and that could be quarried at a cost that would render it a cheap.

substantial, and beautiful material for the outside finish and decorations of the building. The estimates submitted by the Architect induce the belief that it would be policy to give this subject a thorough examination, to get from the quarry alluded to samples of the stone, and to ascertain approximately the cost of quarrying and delivering it upon the State Capitol grounds.

The Architect's report on this subject is marked Exhibit "C."

With another year's experience, the Board of Commissioners have become more fully satisfied that the system adopted by them of contracting for the necessary materials, and employing labor to do the work, is the one to be pursued in order to insure the best interests of the State.

They most earnestly call your attention, and through you, the attention of the Legislature, to the amount of work that has been done this season in proportion to the amount expended, and to the thorough and efficient manner with which the labor has thus far been prosecuted. No contractor would put into a building the complete and massive style of masonry that may be seen in the structure that has thus far been erected.

In this connection the Board of Commissioners would urgently recommend that no change should be made in the system that has been pursued with so much success.

A. A. H. TUTTLE,
ALFRED REDINGTON,
State Capitol Commissioners.

EXHIBITS.

[A]

DETAILED STATEMENT,

Showing Amount Expended by the State Capitol Commissioners to December 1st, 1863, under the provisions of the Act of April 20th, 1863.

LABOR ACCOUNT.

Pay Roll for June, 1863.....	\$1,783 00	
Pay Roll for July, 1863.....	4,533 25	
Pay Roll for August, 1863.....	4,273 75	
Pay Roll for September, 1863.....	4,175 87	
Pay Roll for October, 1863.....	3,810 87	
Pay Roll for November, 1863.....	3,567 84	
Services rendered the Board.....	1,452 50	
		\$23,597 08
Salary of Architect, (ten months).....		3,000 00

MATERIALS.

Granite, as per contract with E. O. Dana	\$5,123 45	
Bricks, as per contract with John Tansman.....	7,498 40	
Lime, as per contract with H. T. Holmes.....	2,721 23	
Cement, as per contract with George Pardoe....	3,524 00	
Sand, as per contract with James Carlisle.....	759 20	
Iron Work, as per contract with Calvin Nutting	1,550 00	
Lumber, (four bills,) N. L. Drew & Co.....	597 91	
Slates, as per bill, J. E. Kincaid.....	225 00	
		21,999 19

SUNDRIES.

Advertising, per bill Jas. Anthony & Co.....	\$54 25	
Lead Pipe, Plumbing, etc., (two bills,) Daniel W. Clark.....	212 30	
Hardware, (three bills,) Huntington & Hopkins	622 52	
Coal and Wood, (four bills,) A. C. & W. Bidwell	221 52	
Red Lead, per bill M. Fitzgerald.....	50 00	
Tax Collector of Sacramento for Tax on Street Improvements	294 40	
Various small bills for Water, Printing, Cartage, etc.....	163 93	
		\$1,618 92
Carried forward		\$50,215 19

STATEMENT—Continued.

Brought forward.....	\$50,215 19
Twenty per cent retained on contract for Brick, John Tansman.....	1,874 60
Twenty per cent retained on contract for Granite, E. O. Dana	1,280 86
Total Expenditure to December 1st	\$53,370 65

[B]

E S T I M A T E

Of the construction of the Floors of the State Capitol Building with brick arches, supported on wrought iron beams, with the exception of the Rotunda and Corridor Floors in the principal story, which are to be joined with groined arches, and the Floors to be laid with encaustic tiles. Also, an estimate of the cost of constructing all the Floors with wooden beams and flooring.

BASEMENT—Fire Proof Floors.		
95 tons iron beams (a \$120.....)	\$11,500 00	
2,800 lbs iron ties (a 10 cents.....)	280 00	
250,000 bricks for arches (a \$18.....)	4,520 00	
27,000 feet tiling (a 85 cents.....)	22,950 00	
Centering, etc.....	500 00	
		\$39,450 00
BASEMENT—Wood Floors.		
130,000 feet joist (a \$43.....)	\$5,590 00	
55,000 feet flooring (a \$52.....)	2,860 00	
Nails, etc.....	150 00	
		\$8,600 00
Difference in expense of floors		\$30,850 00
PRINCIPAL STORY—Fire Proof Floors.		
65 tons iron beams (a \$120.....)	\$7,800 00	
280,000 bricks (a \$18.....)	5,040 00	
3,000 lbs iron ties (a 10 cents.....)	360 00	
26,500 feet of tiling (a 85 cents.....)	22,525 00	
Scaffolding, etc.....	750 00	
		\$36,475 00
PRINCIPAL STORY—Wood Floors.		
120,000 feet joist (a \$43.....)	\$5,160 00	
50,000 feet flooring (a \$52.....)	2,600 00	
1,000 lbs clamps (a 10 cents.....)	160 00	
Nails, etc.....	150 00	
		\$8,070 00
Difference in expense of floors.....		\$28,405 00

ESTIMATE—Continued.

SECOND STORY— <i>Fire Proof Floors.</i>		
25 tons iron beams @ \$120.....	\$3 000 00	
2,500 iron ties @ 10 cents.....	250 00	
115,000 bricks @ \$18	2,070 00	
20,000 feet tiling @ 85 cents	17,000 00	
Centering, etc.....	350 00	
		\$22,670 00
SECOND STORY— <i>Wood Floors.</i>		
75,000 feet joist @ \$44.....	\$3,300 00	
30,000 feet flooring @ \$52	1,560 00	
1,500 lbs iron ties @ 12 cents.....	180 00	
Nails, etc.....	250 00	
		\$5,290 00
Difference in expense of floors		\$17,380 00
Total cost of fire proof floors		\$98,595 00
Total cost of wood floors.....		21,960 00
Total difference in cost.....		\$76,635 00

Very respectfully,

Your obedient servant.

REUBEN CLARK,
Architect.

[C]

S T A T E M E N T

*Of the Comparative Cost of Freestone and other Materials for Outside Finish
of the State Capitol Building.*

By the original specifications, the façades of the Capitol building above the basement story were to have all the cornices, architraves, caps, bases, ballusters, and window trimmings, of cast iron, and all the plain surfaces to be plastered with stucco formed of cement, and to be well saturated with linseed oil. This, together with the iron work, was to have four coats of paint, sanded in the two last coats.

Such a finish, properly executed, would be durable; but to present a good appearance, it would require re-painting at least once every five years.

In my opinion, freestone would be much more suitable for a public building of the class this is intended to be. There is freestone of a superior quality, and easily procured, and if such a material could be used, the façades of the building would require no repairs for many generations. The cost of the two methods of finishing, and the difference in the expense, I herewith submit:

Cost of Freestone Facings.....	\$250,000 00
Cost of Cast Iron Trimmings and Stucco Work. \$75,000 00	
One million bricks more would be required for the work if Stucco is used, at \$19 per thou- sand.....	19,000 00
	94,000 00
	\$156,000 00

Very respectfully,

Your obedient servant,

REUBEN CLARK,
Architect.

REPORT OF PRESIDENT AND TREASURER

OF THE

Home for the Care of Inebriates.

PRESENTED BY MR. LOVETT, JANUARY 30, 1864

O. M. CLAVESSTATE PRINTER.

COMMUNICATION.

TO THE HON. THE LEGISLATURE OF THE STATE OF CALIFORNIA :

The President and Treasurer of the "Home for the Care of Inebriates," most respectfully submit to your honorable body the following report.

JAS. T. HOYT,
President Home for the Care of Inebriates.

JOHN HANNA,
Treasurer Home for the Care of Inebriates.

They have expended the money as follows :

Paid Note to Fund Commissioners.....	\$4,000 00
Paid Interest on same, eleven months.....	440 66
Paid Improvements on Building.....	1,600 00
Paid Furniture and Utensils of "Home".....	350 00
Paid Interest on Mortgage Debt to December 30th, 1863.....	745 50
Paid Interest to John Hanna, Esq., on \$1,200 advanced for use of "Home" fifteen months.....	270 00
Paid toward the liquidation of the Mortgage Debt of this Fund	593 84
Total	\$8,000 00

By the aid of donations and private subscriptions, the Board of Managers have reduced the mortgage debt of the Home for the care of the Inebriates to the sum of twenty-five hundred dollars, (\$2,500,) upon the payment of which the institution and property will be the unincumbered property of the institution, with a revenue to the State in case the building shall be used for any other purpose.

The Board of Managers further report to your honorable body :

For the year ending December 31, 1863, there were ad- mitted into the Home, as patients.....	168
<i>Whose nativity were as follows :</i>	
United States.....	78
Ireland.....	61
England.....	15
Scotland.....	8
Germany.....	2
Mexico.....	2
Total	166
<i>Stage of Diseases.</i>	
Delirium Tremens.....	71
Drunk.....	94
Insane.....	3
Total	168
<i>Sex.</i>	
Males.....	143
Females.....	25
Total	168

Discharged cured	153	
Died.....	10	
Remaining in the Home.....	5	
Total		168

The Board of Managers most respectfully ask of your honorable body an appropriation of twenty-five hundred dollars, (\$2,500,) to be applied to the payment of the mortgage debt.

All of which is most respectfully submitted.

JAMES T. HOYT,
President Home for the Care of Inebriates.

JOHN HANNA,
Treasurer Home for the Care of Inebriates.

ANNUAL REPORT

OF THE

Ladies' Protection and Relief Society,

OF SAN FRANCISCO.

O. M. CLAYES.....STATE PRINTER.

REPORT.

To the Senate and Assembly of the State of California :

The Managers of the San Francisco Ladies' Protection and Relief Society beg leave to submit the following as their annual report :

The whole number of women and children who have enjoyed the benefits of the Society's "Home," and most of whom have been entirely dependent upon us, is one hundred and ten. The present number at the "Home" is thirty-one—all that can be crowded into the premises.

Material aid, in various ways, mentioned above, has been rendered to seventy-one families in various parts of the city. These seventy-one families contained one hundred and forty children, besides the adults belonging to them, including in all about two hundred and fifty persons.

The total amount of expenses from December first, eighteen hundred and sixty-two, to November thirtieth, eighteen hundred and sixty-three, inclusive, was four thousand and forty-nine dollars and fifty-six cents. No estimate can be furnished of the assistance rendered by donations of second-hand clothing, groceries, and provisions, which have been sent in by the friends of the society, and which have materially contributed to our resources.

On account of building now in process of completion.....	\$7,500
Remaining to be provided on the contract.....	12,500

The appropriation of three thousand dollars made by the Legislature of eighteen hundred and sixty-three has been received and added to our Building Fund. Towards meeting the balance to accrue on the contracts, the society has some two thousand five hundred dollars in cash, and their property on Tehama street. There will be a considerable deficiency on account of the new structure, which, the Managers feel confident, the liberality of the Legislature will enable them to provide for. With such a commodious building as is now in process of erection, into which to receive the unfortunate, the usefulness of the society will be greatly extended.

Our beneficiaries have come from every part of California, and it is on that ground we appeal for State aid.

For further details of the society's labors, see printed annual report published in September.

Respectfully submitted.

Mrs. E. A. GRAY, President.

Miss M. C. FESSENDEN, Secretary.

TRUSTEES:

Hon. J. W. CLARK, President,
NATHANIEL GRAY,

R. B. SWAIN,
J. B. ROBERTS,

GEORGE W. DAM.

GRAY, for the Trustees.

REPORT OF PRESIDENT AND SECRETARY

OF THE

Protestant Orphan Asylum

AT

SAN FRANCISCO.

O. M. CLAYES.....STATE PRINTER.

REPORT.

SAN FRANCISCO, January 13th, 1864.

To the Honorable William H. Sears, Speaker of the Assembly :

In pursuance of an Act approved April twenty-fifth, eighteen hundred and sixty-three, making appropriations for the support of certain charitable institutions, the undersigned, in behalf of the San Francisco Protestant Orphan Asylum, and by the direction of its Managers, beg leave to submit the following report :

In the year eighteen hundred and sixty-two, the Asylum having become uncomfortably crowded, while new and pressing claims upon its charity were constantly presenting themselves, it was deemed necessary to make an addition to the existing building. After mature consideration, it was thought best to make the addition large enough to meet all probable requirements upon the institution, and to make the structure, as a whole, one which should be creditable to the City of San Francisco, by the benevolence of whose citizens for the most part the institution has been sustained, and to the State of California, which, through the action of its Legislature, has for five years past afforded most timely aid to our finances by an annual appropriation.

The enlarged Asylum has been completed about six months. It is a massive and most substantial stone structure, built from material obtained in the immediate vicinity, and in architectural beauty and thorough adaptation to the purpose for which it was designed, there are probably few Asylum buildings in the country superior to it. It is capable of accommodating conveniently two hundred and fifty children.

The total cost of the addition known as the "Sansome Wing," together with the necessary repairs and alterations upon the old building to make a harmonious whole, was twenty-nine thousand five hundred and seventy-six dollars and fifty-two cents. Of this sum, there was expended in eighteen hundred and sixty-two, from the sale of property donated by the Sansome Hook and Ladder Company, and from other sources, eighteen thousand two hundred and eighty-six dollars and seventeen cents, leaving as the amount expended upon the building in eighteen hundred and sixty-three, eleven thousand two hundred and ninety dollars and thirty-five cents.

The current expenses of the institution for eleven months of the financial year eighteen hundred and sixty-three, up to the first of January, were eleven thousand three hundred and thirty-eight dollars and fifty-nine cents, or an average of one thousand and thirty dollars and seventy-eight cents per month. This sum includes the cost of provisions, clothing, salaries, incidental repairs, furniture, etc.—the aggregate expenditure for eleven months being twenty-two thousand six hundred and twenty-eight dollars and ninety-four cents.

The Managers, through the kindness of friends, were enabled to anticipate the payment from the Treasury of the appropriation of six thousand dollars made by the last Legislature, and the balance of the above sum, or sixteen thousand six hundred and twenty-eight dollars and ninety-four cents, was, with some trifling exceptions, contributed by friends of the institution in San Francisco.

On the first of February, eighteen hundred and sixty-three, the number of children in the Asylum was eighty; admitted during the year, sixty-five—making one hundred and forty-five; removed by friends and adopted into families, forty-four—leaving one hundred and one as the present number of inmates, six deaths having occurred during the year. Of the children now in the Asylum, there were admitted, from San Francisco, thirty-one; and from other counties of the State, seventy.

It will be seen, therefore, that the institution, though situated in San Francisco, is *local* in no other sense. In the sphere of its operations it embraces the whole State, and no child believed, on investigation, to be a proper object of its charity, has ever been refused admission, except temporarily, when, before the enlargement, the Asylum was more than full.

The undersigned beg leave, in conclusion, to represent to the honorable Legislature of the State, that the San Francisco Protestant Orphan Asylum has before it a most important sphere of usefulness, which, in their judgment, no other agency can so well fill; that, in the absence of similar institutions in the interior of the State, the Asylum in San Francisco must, in effect, be a State institution; that, in the absence of convenient agencies for reaching the benevolent people of the interior counties, the support of this charity has hitherto fallen almost wholly, as it will continue to fall mainly, upon the people of San Francisco; but that the people of the State, they doubt not, will cheerfully contribute towards their maintenance through the action of the Legislature.

Wherefore, the undersigned, in behalf of the Managers, respectfully ask that an increased appropriation be made by the Legislature from the State Treasury for each of the years eighteen hundred and sixty-four and eighteen hundred and sixty-five, in aid of the San Francisco Protestant Orphan Asylum.

Respectfully submitted.

MRS. IRA P. RANKIN,
President.

MRS. FRED'K MACCRELLISH, Secretary.

REPORT OF THE SUPERINTENDENT

OF THE

Roman Catholic Orphan Asylum,

AT SAN RAFAEL.

O. M. CLAYES.....STATE PRINTER.

REPORT.

ROMAN CATHOLIC MALE ORPHAN ASYLUM,
San Rafael, Marin County, January 17th, 1864. }

To the Honorable the Senate and Assembly of the State of California :

SIRS :—The Legislature of last year appropriated two thousand dollars towards the support of this Orphan Asylum. This money has been received lately, and it is now my duty to state how it has been employed.

As to the number of children supported by the establishment during the last twelvemonth : it has been, on an average, ninety-six per month. At present there are at the Asylum no less than one hundred and four children, not more than twenty of whom pay from five to ten dollars per month.

Again : of that number, about seventy are under nine years of age ; the remainder between nine and fourteen years.

The health of the children has been exceedingly good during that time. In fact, such is the excellence of the climate where the Asylum is situated, that during these last five years not more than one child has died of sickness ; and that during the same time the Physician has not visited the house professionally for more than five or six cases of sickness.

Let me be allowed respectfully to represent that it would have been very grateful to the feelings of the friends of this institution, if the distance at which it is situated from San Francisco had not been an obstacle—as I understand it to have been—to its condition and management being investigated by the committee appointed for that purpose by the proper authorities. Slender and uncertain as our resources are, and numerous as are the children intrusted to our care, the committee would nevertheless have seen that the money so generously bestowed by the State has been laid out in such a manner as to augment greatly and permanently the comfort of the children, at the same time that it has enabled me to improve the outward appearances of the establishment to such an extent that a person who has seen it in its former and almost dilapidated condition would scarcely know it again. A larger and better lighted and ventilated School-room ; a new kitchen and refectory ; a place where the children might find shelter against the rain and the hot

rays of the summer sun ; a parlor, where they might see their friends ; a tank, and water pipes, and a pump to raise the water up to the house, where formerly we had to draw it up with oxen ; these and many more improvements were become of so urgent a necessity, that the allocation made by the last Legislature almost looked to me as if it had directly descended from Heaven.

It is upon these buildings that the money received from the State has been entirely laid out. Yet it would not altogether cover the expenses ; and though no debts have been contracted, yet so many more things are needed—and, to mention one instance, the sleeping department could be made so much more comfortable—that I look for the day on which this matter will again come before the Legislature almost with fear and trembling. An unknown and obscure individual, yet allow me to plead the sacred cause of the fatherless and motherless. A Minister of the Gospel, do not consider it intrusive on my part if I respectfully suggest that nations, as well as individuals, so far from impoverishing themselves by being charitable, cannot, on the contrary, fail to draw upon themselves the choicest blessings of Heaven, if they extend a merciful hand to the poor and the helpless.

I have the honor to be

Your very humble obedient servant,

LOUIS LOOTENS, C. Pr.,
Superintendent Orphan Asylum

R E P O R T

OF THE

Commissioners on the State Donation

TO THE

FAMILY OF COL. R. MATHESON, DECEASED.

O. M. CLAYES.....STATE PRINTER.

REPORT.

SAN FRANCISCO,
February 2d. 1864. }

To the Honorable the Legislature of the State of California :

On the eleventh of April of the year eighteen hundred and sixty-three, the Legislature made an appropriation of five thousand dollars for the benefit of the widow and children of Colonel Roderick Matheson, who was killed in one of the conflicts of the rebellion.

As the then Attorney-General, I was required to draw the warrant and supervise the investment of the same, under the advice of the Senator and Representatives of the County of Sonoma, for the benefit of Mrs. Matheson and her family.

We found the family of Colonel Matheson occupying a very beautiful farm, of some three hundred and fifty acres, upon the banks of the Russian River, a commodious dwelling, sufficient out-buildings, well fenced and improved, adjoining the village of Healdsburg, in the County of Sonoma. This farm had been purchased by Colonel Matheson for a homestead, and occupied by him as such for several years preceding his decease.

Upon examination, I find that Colonel Matheson, before his departure for the East, had executed to Henry E. Green, of San Francisco, a mortgage upon this property for some three thousand dollars, bearing interest at the rate of two per cent per month.

This mortgage bore the signature of the wife, and was, at the time of the appropriation, in process of foreclosure by Messrs. Stow & Patterson, of San Francisco.

On the eleventh of June a judgment was rendered against the property of six thousand two hundred and ten dollars and ninety-four cents, with two per cent per month interest.

After a personal interview with Mrs. Matheson, in which she informed me of her earnest desire to preserve this property as a home for herself and family—her husband being buried on the farm; and after consultation with my associates in the Commission, (the Honorable Mr. Rider being present at the interview referred to,) I entered into negotiations to retire this mortgage with the amount of money furnished by the State.

The law firm having the business in charge generously remitted their Counsel fees—provided for in the mortgage—some five hundred dollars. Mr. Henry E. Green gave some seven hundred dollars, and the result was, that on the twenty-second day of August I paid to the law firm of Messrs. Stow & Patterson the five thousand dollar warrant, and took from their client a full satisfaction and discharge of the mortgage, which I caused to be sent to Mrs. Matheson and recorded in the County of Sonoma; thus securing to the family the homestead farm free from all debt and incumbrance.

I need not say that the business was concluded without expense to the family, and that neither travelling disbursements, costs, or professional charge, was made in the matter.

We have the honor to be, very respectfully,

FRANK M. PIXLEY,
WM. M. RIDER.

MESSAGE OF THE GOVERNOR

TO THE

LEGISLATURE OF CALIFORNIA,

ON THE

Financial Condition of the State.

O. M. CLAYES.....STATE PRINTER.

M E S S A G E .

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, January 11th, 1864. }

To the Senate and Assembly of the State of California :

In my Inaugural I said :

“The financial condition of the State demands serious attention, and the immediate adoption of measures which shall not only provide for necessary current expenditures, but by which the floating debt shall be surely extinguished, and our affairs be placed upon a cash basis. *
* * * * I shall, at an early day, inform myself concerning the condition of the finances, and transmit the result to the Legislature, accompanied with such recommendations as may seem to me practical, and conducive to the ends I have indicated.”

Since entering upon the duties of my office, I have endeavored to ascertain the amount of the legal and equitable indebtedness of the State, to see what progress has been made during the past year in reducing the indebtedness by revenue derived from legitimate sources, and to estimate, as carefully as possible, the receipts and expenditures for the balance of the present fiscal year, in order to ascertain what the indebtedness will be on the first of July, eighteen hundred and sixty-four—the commencement of the sixteenth fiscal year—to the end that the Legislature may see clearly how to provide for its extinguishment.

The outstanding indebtedness on the first of January, eighteen hundred and sixty-four, was as follows :

Civil Bonds issued under Act of April 28, 1857.....	\$3,620,500 00
Civil Bonds issued under Act of April 30, 1860.....	198,500 00
Civil Bonds redeemed and placed in the hands of the State Treasurer for the School Fund.....	107,000 00
Carried forward.....	\$3,926,000 00

Brought forward.....	\$3,926,000 00
Warrants in hands of State Treasurer belonging to the School Fund.....	368,520 00
Warrants on General Fund outstanding and not paid for want of funds.....	63,4 1 55
Audited and unaudited claims against the General Fund for which warrants have not been drawn.....	29,842 10
Due Swamp Land Fund under Acts of January 28 and 31, 1863.....	183,125 00
Warrants on Military Fund not paid for want of funds....	32,943 57
Claims audited on Military Fund for which warrants have not been drawn.....	11,798 49
Unaudited claims against the Military Fund for a large amount—probably.....	45,000 00
Claims for equipment of Military Companies (particularly in the Fifth Brigade) under Act of April 25, 1863, for the defence of the State—estimated at	30,000 00
Bonds authorized to be issued for completion of the building for the Asylum for the Deaf, Dumb, and Blind, under Act of April 27, 1863.....	75,000 00
Bonds authorized to be sold and the proceeds appropriated to pay of Volunteers in the field under Act of April 27, 1863, for proceeds of which warrants are now being drawn	600,000 00
Total	<u>\$5,365,640 71</u>
In the above is not included what has usually been reported as a valid debt, viz: War Bonds issued under Act of March 7, 1851, and May 3, 1852, payable in May, 1862, if not paid by the United States prior to their maturity, which, with interest, amount to.....	46,000 00
Coupons cut off by the War Bond Commissioners, and surrendered to the original holders of the Bonds.....	172,868 54
Nor the donation to the Pacific Railroad by virtue of the Act of April 25, 1863.....	500,000 00
Which, if added, make a total of.....	<u>\$6,084,509 25</u>

The operations of the Treasury, from December first, eighteen hundred and sixty-two, to December first, eighteen hundred and sixty-three, may be summed up as follows:

The debt of the State, on the first of December, eighteen hundred and sixty-two, (exclusive of Indian War Bonds,) was as follows:

Funded Debt of 1857	\$3,727,500 00
Funded Debt of 1860.....	198,500 00
Carried forward.....	<u>\$3,926,000 00</u>

Brought forward.....	\$3,926,000 00
Civil warrants in hands of State Treasurer to the credit of the School Funds	475,520 00
Audited claims.....	427,780 00
Salaries of officers unpaid.....	62,000 00
Appropriation to Schools unpaid.....	50,433 70
Total debt.....	\$4,941,733 70

STATEMENT OF DEBT DECEMBER 1st, 1863.

Funded Debt of 1857	\$3,620,500 00
Funded Debt of 1860	198,500 00
Civil warrants in hands of State Treasurer to the credit of the School Fund.....	368,520 00
Bonds redeemed and placed to credit of School Fund.....	107,000 00
Due Swamp Land Fund.....	183,125 00
Warrants on General Fund unpaid.....	216,371 93
Unaudited claims—estimated.....	150,000 00
Total	\$4,844,016 93

Showing that the debt existing December first, eighteen hundred and sixty-two, had only been reduced by revenue from ordinary sources ninety-seven thousand seven hundred and sixteen dollars and seventy-seven cents (\$97,716 77.)

I estimate that the condition of the General Fund on the first of July, eighteen hundred and sixty-four, will be as follows:

Warrants outstanding January 1, 1864. and not paid for want of funds.....	\$63,411 55
Amount due Swamp Land Fund, to be transferred from General Fund out of first moneys received.....	76,045 12
Estimated current expenses of State Government from January 1, 1864. to July 1, 1864, payable out of the General Fund.....	483,264 35
Total.....	\$622,721 02
Estimated receipts into the General Fund from all sources. from January 1, 1864, to July 1, 1864.....	266,797 47
Warrants unpaid July 1, 1864	\$355,923 55
To which may probably be added the first instalment of the donation to the Pacific Railroad.....	200,000 00
Carried forward.....	\$555,923 55

Brought forward.....	\$555,923 55
And also the probable claims of Military Companies for equipments under Act of April 25, 1863.....	30,000 00
Making the estimated total Floating Debt payable out of the General Fund, July 1, 1864.....	\$585,923 55

This array of figures is no fancy sketch. It is an estimate made with care upon the basis of data furnished me by the present Controller of State, to whose labor and research I am greatly indebted. It is not an over-estimate, but is, on the contrary, probably below the reality. The debt is a stubborn fact that must be dealt with by the present Legislature, and ways and means provided for its payment.

If the present rate of taxation is continued, (ninety-two cents on each one hundred dollars of valuation,) it will be apportioned, under existing laws, to the several Funds, as follows:

For Interest and Sinking Fund of 1857.....	30 cents.
For Interest and Sinking Fund of 1860.....	1½ cents.
For Interest on Soldiers' Relief Fund.....	2 cents.
For Interest on Deaf and Dumb Asylum Bonds.....	¾ cents.
For Insane Asylum Building Fund.....	5 cents.
For State Capitol Building Fund..	5 cents.
For General Fund.....	48 cents.
Total.....	92 cents.

Estimating the valuation of real and personal estate at the same as that of last year, (\$174,000,000):

The General Fund will receive, after deducting twenty-five per cent for delinquencies and cost of collection.....	\$626,400
To which should be added from foreign miners' licenses....	175,000
One half of State poll tax.....	35,000
State and county licenses.....	40,000
Sales of stamps (stamp tax).....	120,000
Total.....	\$996,400

If my estimate of the probable state of that Fund on the first of July, eighteen hundred and sixty-four, be correct, the whole of the receipts into the General Fund for the sixteenth fiscal year will be exhausted prior to January first, eighteen hundred and sixty-five. That this state of things should not continue to exist, is certain; but it remains with the Legislature to apply the remedy.

As law-makers should not be law-breakers, I desire to call the attention of the Legislature to Article VIII of the Constitution, which seems

so clear and explicit that it is to my mind most unaccountable that no attention has been paid to the restriction it contains.

Although the sum due the School Fund (\$475,520) is of a peculiarly sacred character, the mode provided for its payment in the Act of April fourteenth, eighteen hundred and sixty-three, is, to say the least, of doubtful legality. The embarrassed condition of the General Fund renders it nearly certain that when the donation to the Pacific Railroad shall become due, the then existing debt of the State will approximate, if not exceed, the constitutional limit. Should this be the case, this great work would be deprived of that aid from the State upon which its friends have surely relied. I would therefore recommend that an Act be passed providing for the funding of the amount due the School Fund, (\$475,520,) and also the donation to the Pacific Railroad, (\$500,000,) amounting in all to nine hundred and seventy-five thousand five hundred and twenty dollars (\$975,520); such Act to be submitted to a vote of the people at the next general election, which will be in November of the present year. If such an Act should be passed, of course a tax sufficient to pay the interest, and also to provide a Sinking Fund for the ultimate redemption of the bonds, would be levied. The funding of this amount would not only relieve the General Fund of a large amount of floating indebtedness, but would also relieve it from the payment of the interest it bears. Should this suggestion be acted upon, the indebtedness of the General Fund on the first of July, eighteen hundred and sixty-four would probably be three hundred and eighty-five thousand nine hundred and twenty-three dollars and fifty-five cents. (\$385,923 55.)

If the General Fund can be relieved of the claims that do not properly belong to it, and if prudence and economy be exercised by the present Legislature—cutting off all appropriations which are not indispensably necessary, reducing others where it can consistently be done, and maintaining the tax at the present rate—I feel confident that at the end of the sixteenth fiscal year (June thirtieth, eighteen hundred and sixty-five,) no warrants on that Fund will be outstanding and “unpaid for want of funds.”

It seems to be admitted by all that the system of holding encampments by the militia in each brigade needs modification, the benefits derived not being commensurate with the expense incurred. If the brigade encampments should be abolished, and only an encampment for the drill of the officers of the militia be maintained, the poll tax of two dollars for the present and succeeding years would extinguish the present debt of the Military Fund, and also provide for all necessary military expenditures. The suggestion made by the late Controller seems to me so eminently proper that I desire to call attention to it. He says:

“A change in the law, so as to require the counties where military companies are organized, to pay the rent of their respective armories, would save annually a large amount to the State, and work no injustice to the counties.”

To this end I would recommend the repeal of the second proviso to the sixth section of the Act of April twenty-fifth, eighteen hundred and sixty-three.

The Indian War Bond indebtedness, amounting to two hundred and eighteen thousand eight hundred and sixty-six dollars and fifty-four cents (\$218,866 54,) has been a subject which has provoked much discussion in the Legislature in years past, and has also been the text for

homilies to the public, on equity and justice, by Controllers and Treasurers of the State. In none of these discussions or reports have I seen what seems to me the true *status* of this indebtedness properly defined. In my opinion the Supreme Court of this State declared this to be an unconstitutional and void debt—one which can only have validity given to the whole, or any portion of it, by the single mode provided in the Constitution, viz: a submission thereof to a vote of the people. (See *People vs. Johnson*, 6 Cal., 500; *Nougues vs. Douglas*, 7 Cal., 67.) In the cases referred to above, the Court not only decided the then existing debt unconstitutional, but also decided that, "If the Legislature has no right to create a State debt beyond the limit fixed by the Constitution, that body has no constitutional right to tax the people to pay a void debt."

The tax of five cents on the one hundred dollars for the construction of additional buildings for the Insane Asylum, as provided in the Act of April twenty-fifth, eighteen hundred and sixty-three, should be continued for the present year, unless some radical change in that institution should be deemed necessary by the present Legislature. The present ratio of increase of patients in the Insane Asylum is a question of the gravest importance. If the past is a criterion on which to base calculations for the future, it may be well to consider whether or not the present tax for the erection of additional buildings for that institution will not be likely to become a fixed annual tax to provide the necessary accommodations for this unfortunate class of persons. The number of "incurables" seems to be increasing in a much larger ratio in this State than in any other, and it occurs to me that the causes producing this result should be rigidly inquired into, for the purpose of ascertaining whether it is the unsuitableness of the location of the Asylum, or the mode of treatment of the patients. I trust that the Legislature will give to this subject the consideration its importance merits. Humanity demands that the proper remedy for such a state of things be ascertained and applied; and the tax payers, who are called upon to contribute annually increasing sums for the support of this institution, have a right to expect that their money shall be wisely expended.

The tax of five cents on the one hundred dollars of assessable property, under the Act of March twenty-seventh, eighteen hundred and sixty-three, for the completion of the State Capitol, furnishes a comparatively small sum annually, which goes but little way in the erection of such a structure. The expenses for salaries of Architect, etc., are the same as if a much larger force were employed on the building. There has already been a large amount of money expended in this direction, and it seems to me it would be a matter of economy for the State to provide at least one hundred and fifty thousand dollars annually, either by direct taxation or by the issuance of bonds, to be used for this purpose until the Capitol is completed.

The State Prison should be an institution in which criminals confined for offences might be compelled by the fruits of their labor to provide for their own support, as far as possible. It should be so conducted that the convict, when he emerges from it at the end of his term, will go forth a better man than when he entered. The safety and well being of society demand that the criminal shall suffer for offences committed against it; and it is due to humanity and civilization that the State shall not turn criminals loose upon society again more degraded than when she receives them into custody. I regret to say that, so far as I am able to judge, the persons committed to our State Prison who were not hardened crim-

inals when they entered are likely to become so while there by constant and uninterrupted intercourse with the more depraved. This state of things can only be obviated by a considerable outlay in providing cells for the confinement of the prisoners, in order that they may be classified or confined separately. To say nothing of the humanity involved in the case, economy would be consulted by this expenditure. The labor of the prisoners should be made available in the various modes, *inside the prison walls*. If cells for the confinement of the disobedient were provided, they could be compelled to labor without a resort to cruel or harsh modes of punishment, and contractors would be found willing to employ them at prices which would remunerate the State for their support. As it is now, contractors for labor complain of the unprofitableness of convict labor because they are obliged to pay the prisoners in addition to the compensation paid to the State; otherwise they will not and cannot well be made to work. Until a remedy be found for this state of things, little hope can be entertained of making the Prison what it should be—a self-supporting institution, having for its object the reformation as well as the punishment of offenders. I would therefore urgently recommend that provision be made this year for the erection of additional buildings for cells. A specific tax of, say, five cents on the one hundred dollars of assessable property of the State, to create a special fund for this purpose, would, I think, be the best mode. This tax, together with the labor of the prisoners, which could be used in the erection of the buildings, would be sufficient for the purpose. If this expenditure be provided for at this session of the Legislature, I am firmly of the opinion that the State will be more than reimbursed during my term of office by the increased amounts which will be received for prison labor over what would be derived with the Prison in its present state.

In making the estimates for the future which are contained in this communication I have based my calculations on the currency in which the taxes are now collected. If the Legislature should decide to make the revenue receivable in United States legal tender notes, an addition of nearly or quite forty per cent to these estimates would be thereby rendered necessary.

My predecessor, in his last annual message, recommended that the State, while faithfully meeting obligations already incurred, should in the future receive into and pay out of the Treasury, without distinction, coin and legal tender notes. From this policy I most decidedly dissent, believing that its adoption would make confusion worse confounded.

The condition of the Public Treasury at the present time is such that unless the utmost prudence and caution is exercised, both by the Legislative and the Executive Departments, a largely increased rate of taxation will be necessary to provide ways and means for the payment of the ordinary expenses of the Government within such reasonable time as to amount to what may be denominated cash payments. By a change from coin to legal tender notes all the expenses of the State, except the pay of the State officers, members of the Legislature, and the Judiciary, would be increased fully fifty per cent.

Every principal of good faith, equity, and justice, as well as the common desire to maintain the public credit, would require the State to provide gold and silver for paying the interest on the Funded Debt, and for placing in the Sinking Fund, for the redemption of the bonds, the amount required by law. If this be due to the individual creditors of

the State, the principal and interest due to the School Fund ought certainly also to be paid in gold and silver. If the Legislature should concur with me in the advisability of funding a portion of the now existing and maturing debt, an amount of specie equivalent to a tax of forty-two cents on the one hundred dollars of valuation would be required to provide for the necessary payments in gold into the Interest and Sinking Fund. Either this portion of the tax would have to be collected in gold, or the State Treasury be converted into a broker's office in order to supply the currency required. From the experience of the past in such matters, it would not be advisable, I think, for the State to embark in such a business.

What I have said in regard to the keeping of the public faith with creditors of the State who hold her bonds, is, of course, equally applicable to counties and cities by which bonds have been issued.

There is another matter which should be considered by the Legislature before action is taken on this subject. Section fifteen of Article Six of the Constitution provides that the Judges of the several Courts "shall severally, at stated times during their continuance in office, receive for their services a compensation, to be paid out of the Treasury, which shall not be increased or diminished during the term for which they shall have been elected."

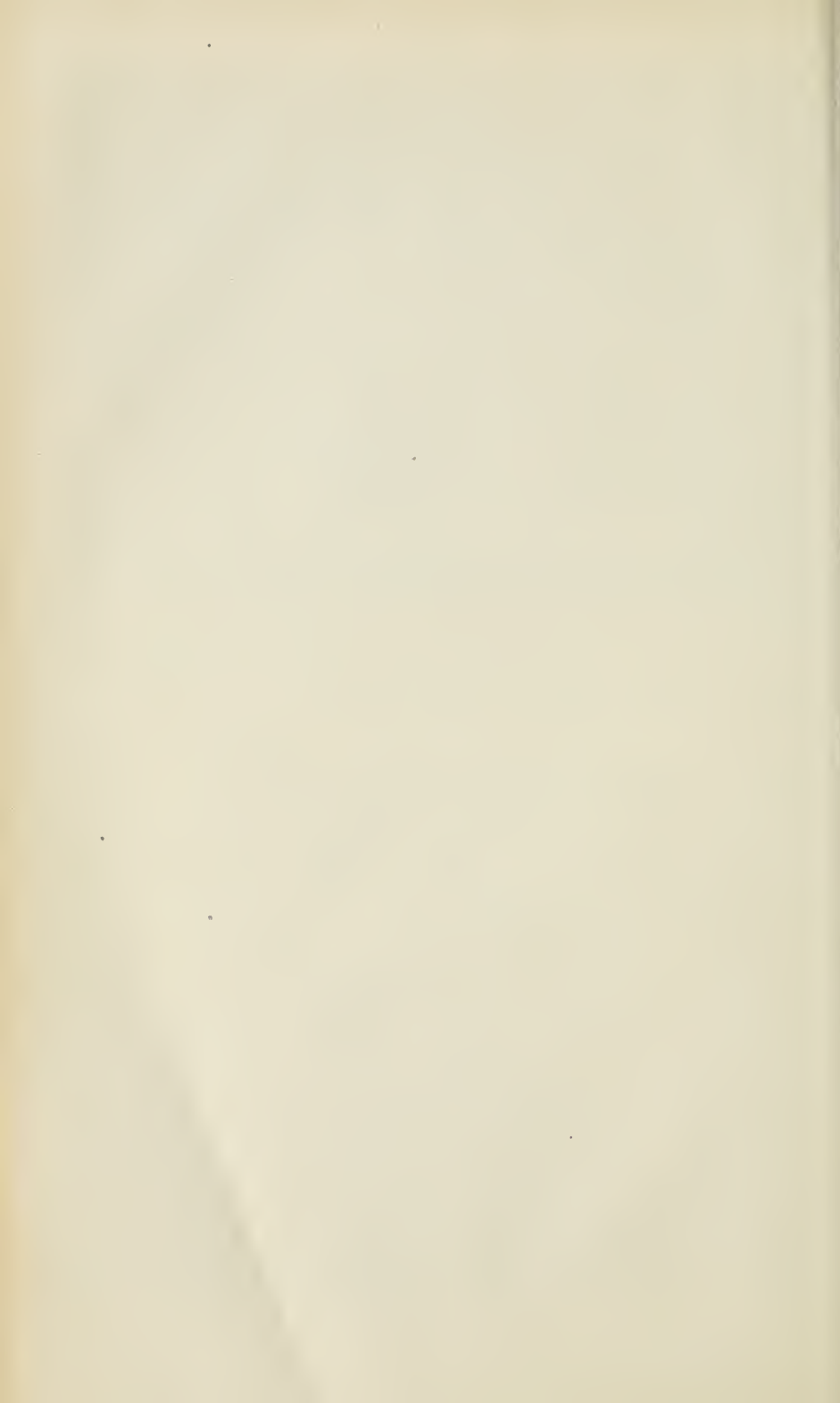
The present salaries of the Judges were fixed at what was believed to be the minimum standard where paid in gold. If provision be now made to pay their salaries in legal tender notes, it may be well to consider whether the larger portion of the Judges will not be likely to resign, and also whether it is probable that other suitable and competent persons can be induced to accept the positions. It will be out of the power of the Legislature to increase the compensation of these officers for some years to come, and in the meantime the State may be left without a Judiciary.

These are some of the objections that occur to me against adopting the recommendations of my predecessor; while I find no reasons in favor of its adoption, except that many persons think the standard of values in this State should be changed from gold and silver to paper, and that a corresponding change should be made in the currency receivable for revenue due the State. Without entering into a discussion of the merits of the question as to whether paper or gold should be the standard of values in this State, the fact of the receiving and paying of paper instead of gold by the State, would have very little effect in regard to changing from the present standard. The United States receives annually millions of dollars in paper, in the form of internal revenue, excises, and postage, and disburses a still larger amount of the same for the expenses of the Government on this Coast; yet I fail to observe that this makes any perceptible difference in the tenacity with which the people of the Pacific States and Territories cling to the precious metals as a currency. Would the fact of the State receiving and disbursing one and a half or two millions of dollars in addition make any difference? I think not. It is but natural that in this State, where no banks have ever existed, and where the currency has uniformly been gold and silver, there should be—whether wisely or not—a deep-seated prejudice among the people against a paper currency. To this fact is mainly attributable the difference between the state of things existing here and that which obtains in the Eastern States; and not, as some would have the world believe, to a spirit of disloyalty to the National Government.

Scarcely any one of intelligence questions the wisdom of the creation by Congress of a National paper currency. An emergency had to be met, and this seemed the best mode of relieving the Government from the embarrassments by which it was surrounded. While I fully believe that the power of the Government was exercised properly in making this currency a "legal tender," it is nevertheless true, that the values of all commodities have risen in price just in proportion to the difference in the value of gold and paper, so that while payments have been made in paper, the price of the commodity has been measured by its value in gold. With the close of the war, which we believe to be a period not far remote, will come the normal state of affairs; the Government paper will be called in, and banks, with Government securities for a basis, will supply the country with a uniform currency redeemable in gold and silver. If this reasoning be correct, it would manifestly be bad policy to make any change in the present laws for the collection of taxes, intended to change the currency in which payments shall be made.

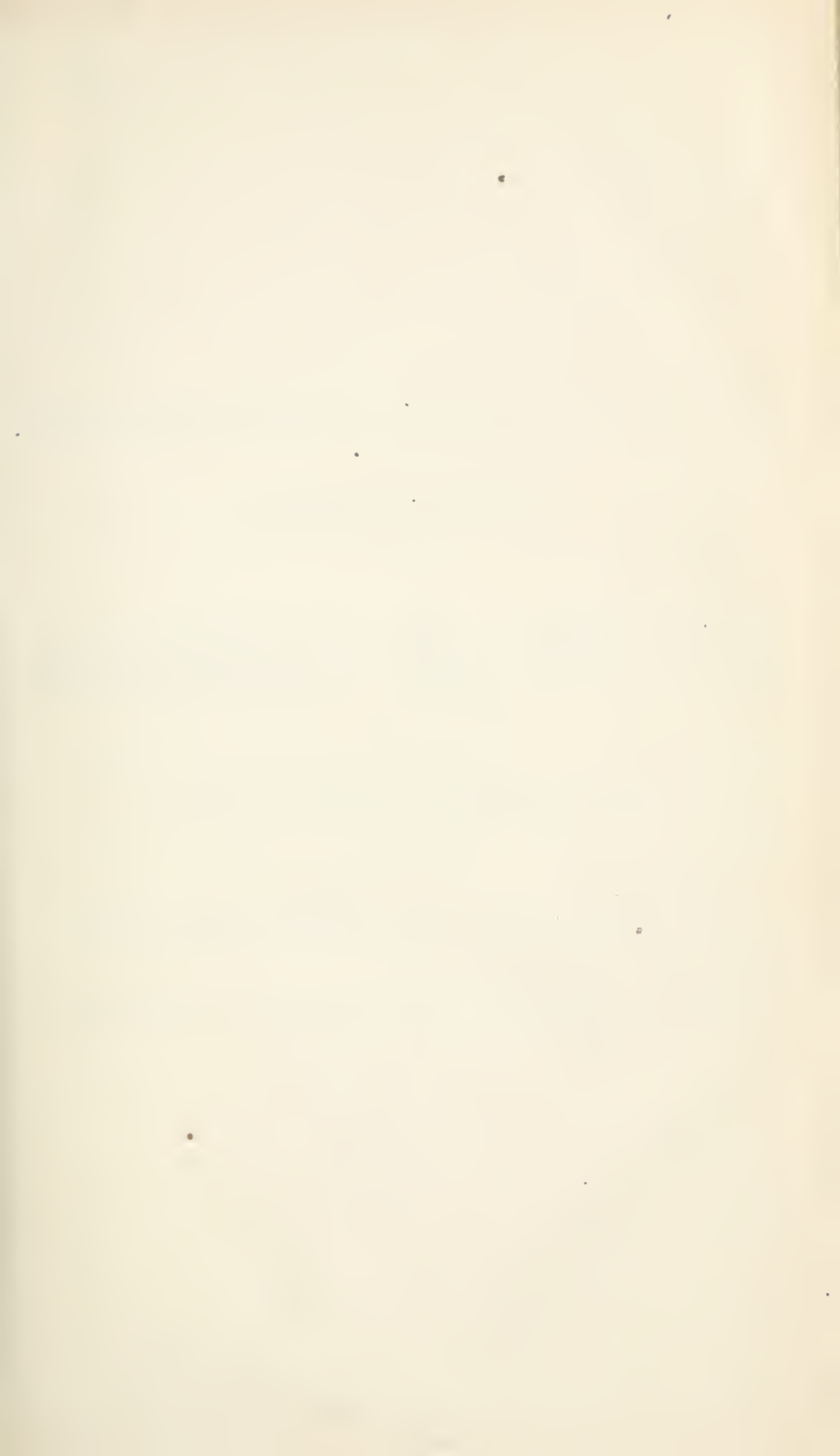
I have now presented a tolerably full exhibit of the finances of the State, and have suggested such policies in relation thereto as seemed to me for the best. Whether these suggestions be concurred in by the Legislature, or other measures be adopted in their stead, I shall gladly give my hearty co-operation to any proposition the tendency and effect of which shall be to extinguish the floating debt, and permanently place the business of the State upon a cash basis at the earliest practicable time.

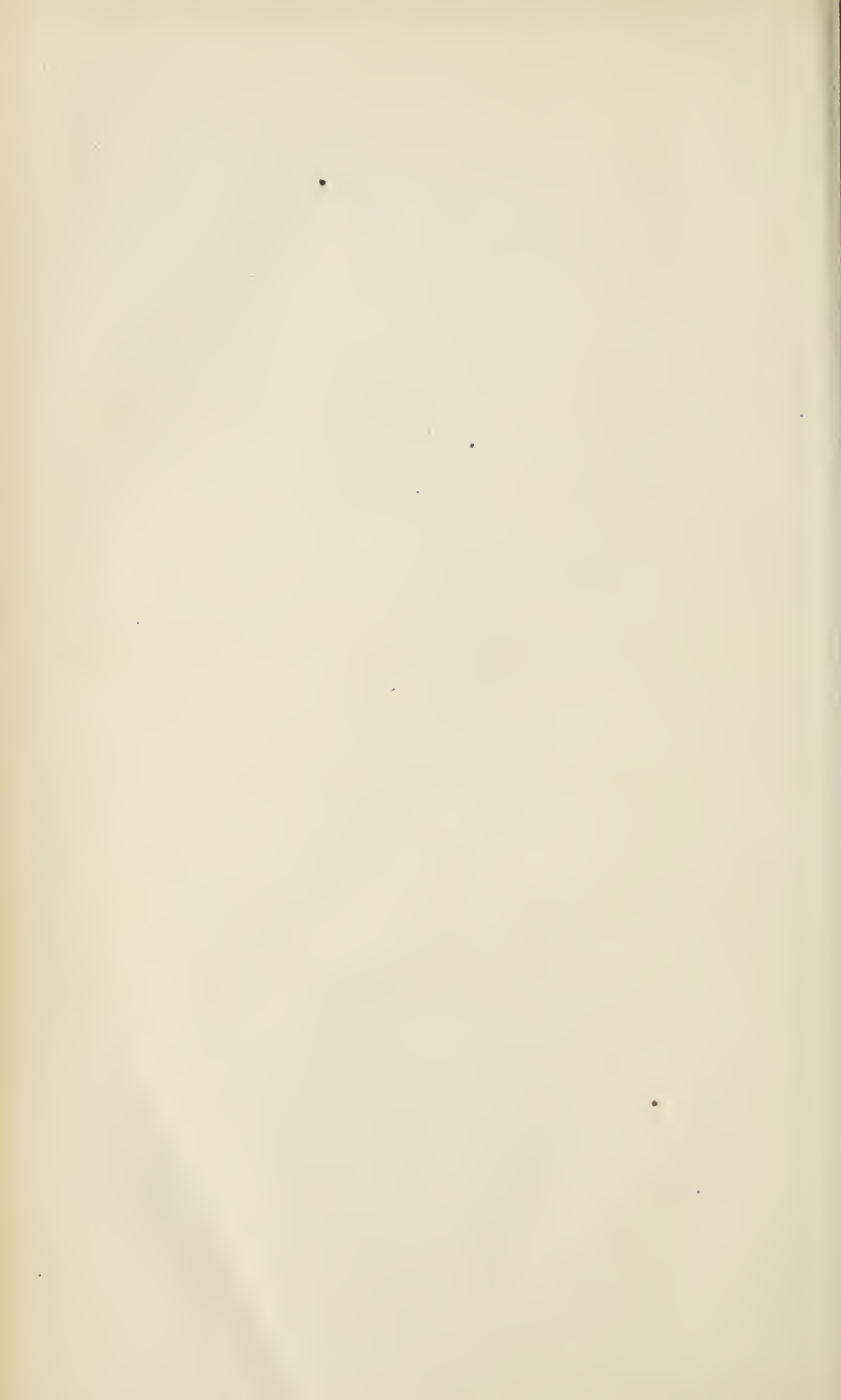
FRED'K F. LOW,
Governor.











REPORT

RELATIVE TO

Establishing a State University,

MADE IN ACCORDANCE WITH A

CONCURRENT RESOLUTION

PASSED AT THE

FOURTEENTH SESSION OF THE LEGISLATURE.

O. M. CLAYESSTATE PRINTER.

COMMUNICATION.

To His Excellency,

F. F. Low,

Governor of California :

SIR : The Legislature of California, at its fourteenth session, adopted the following concurrent resolution :

“Resolved, by the Assembly, the Senate concurring, That Professor J. D. Whitney, State Geologist, John Swett, State Superintendent of Public Instruction, and J. F. Houghton, Surveyor-General, be and they are hereby constituted a Board of Commissioners, to report to the Legislature, on or before the second Monday of December, one thousand eight hundred and sixty-three, upon the feasibility of establishing a State University, embracing an Agricultural College, a ‘School of Mines,’ and a Museum—including the Geological collection of this State; and that said Board report such facts and considerations as they may deem important in connection therewith.”

In obedience to this order of the Legislature, the Board of Commissioners beg leave to submit the following report to your Excellency, with the request that it be communicated to the Assembly, now in session :

We are, Sir, with high respect,

Your obedient servants,

J. D. WHITNEY,
J. F. HOUGHTON,
JOHN SWETT.

REPORT.

In order to a full understanding of the subject referred to us by the Legislature at its last session for investigation, it will be necessary for us first to set forth the action of the Congress of the United States, in making grants of land for the establishment and endowment of a "Seminary of Learning," and a "School of Agriculture and the Mechanic Arts." We shall then proceed to show what obligations the State of California has taken upon itself in reference to the first of these grants, and what it has, in general, bound itself to do for the encouragement of science and the arts, as well as for the cause of higher education.

We shall next call attention to the present condition of the funds derived from the sale of the lands granted by Congress for a University, or "Seminary of Learning," showing what course has been pursued with regard to these funds by the State officers and by previous Legislatures, and what is required to be done in order that the obligations of the State to the United States may be fulfilled. The Congressional grant for a "School of Agriculture and the Mechanic Arts," will next be taken up, its object explained, and the legislation necessary to secure it stated.

These preliminary statements in regard to the Congressional grants of land for promoting the cause of higher education in the State will lead naturally to an inquiry as to how far the funds already derived or hereafter to be received from the sale of these lands, will go towards accomplishing the objects which they were designed to promote; what action a wise and liberal policy requires of the present Legislature in reference to the establishment of the State University; and what the general principles by which they should be guided in this action.

ACTION OF CONGRESS IN REGARD TO THE COLLEGE OF AGRICULTURE AND THE MECHANIC ARTS.

An Act of Congress, approved July second, eighteen hundred and sixty-two, makes the following provisions for the establishment of Colleges of Agriculture and the Mechanic Arts in such of the States as may choose to take action under it.

An amount of Public Land is granted to each State for the purposes of this Act equal to thirty thousand (30,000) acres for each Senator and Representative in Congress to which such State is entitled under the apportionment of eighteen hundred and sixty-two, to be selected from

the Public Land within the State subject to sale at one dollar and twenty-five cents (\$1 25) per acre, if there be sufficient, and if not, then the State is to receive land scrip for the requisite amount; said scrip to be sold by the State, and the proceeds to be applied to the uses prescribed in this Act, and no other. In no case shall any State locate its land scrip under this Act in any other State or Territory; but its assignees may locate it upon any unappropriated land of the United States subject to entry at one dollar and twenty-five cents (\$1 25) or less per acre; *provided*, that not more than one million of acres shall be located in any one of the States; and no such location shall be made before one year from the passage of this Act.

All expenses incurred under this Act shall be paid by the respective States, and all moneys derived from the sale of said lands or land scrip shall be invested in suitable stocks yielding not less than five per cent upon their par value, to remain a perpetual Fund, the interest of which shall be inviolably appropriated to the endowment, support, and maintenance of at least one College, where the leading object shall be—without excluding other scientific and classical studies, and including military tactics—to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the Legislatures of the States respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.

The following conditions are attached to this grant:

First—If any portion of the Fund shall, in any way, be diminished or lost, it shall be replaced by the State, so that the capital of this Fund shall remain forever undiminished, except that a sum not exceeding ten per cent of it may be expended for the purchase of lands for sites or experimental farms, and the annual interest shall be regularly applied to the purposes prescribed.

Second—No portion of said Fund, or the interest, shall be applied, directly or indirectly, under any pretence whatever, to the purchase, erection, preservation, or repairs of any building or buildings.

Third—Any State accepting the provisions of this Act shall provide, within five years at least, not less than one College, as aforesaid, or the grant to such State shall cease, and it shall pay over to the United States the amount received for any lands previously sold, and the title to purchases under the State shall be valid.

Fourth—An annual report shall be made regarding the progress of each College organized under this Act, one copy of which shall be sent to all the other Colleges, and one copy to the Secretary of the Interior.

Fifth—No State, while in a condition of insurrection against the United States, shall be entitled to the benefits of this Act.

Sixth—No State shall be entitled to the benefits of this Act unless it shall express its acceptance thereof, by its Legislature, within two years from the date of its approval by the President.

From the above it will be seen that the State of California will be entitled to one hundred and fifty thousand acres of land, there being two Senators and three Representatives from this State in Congress, under the apportionment of eighteen hundred and sixty-two, and that the first step to be taken in the matter is for the Legislature to pass a resolution expressing its acceptance of the grant, and this must be done by the Legislature of eighteen hundred and sixty-three and sixty-four, otherwise, the period of two years, during which acceptance is possible, will have expired before action can be taken.

Furthermore, it will be observed that it is not imperatively necessary that the Legislature of eighteen hundred and sixty-three and sixty-four should proceed to establish a College under the Act of Congress, as five years are allowed for this purpose, and the Legislature of eighteen hundred and sixty-five and sixty-six could act in time to prevent forfeiture of the grant.

Still, it will undoubtedly be conceded that it would be better that some action should be had or attempted to be had by the present Legislature, even if only of a prospective nature, to prevent undue haste in the incipient stages of an undertaking likely to require so much preparation, and in which a well matured plan will be of so much importance to the future of the institution.

CONGRESSIONAL GRANT FOR A SEMINARY OF LEARNING.

By section twelve of an Act, approved March third, eighteen hundred and fifty-three, Congress granted to California seventy-two sections, or forty-six thousand and eighty acres of land, for the use of a "Seminary of Learning."

There are no conditions attached to this grant beyond those implied in the words "Seminary of Learning," the intention and meaning of which will be fully considered further on in this report, when the use which has been made by the States of this grant will be stated.

But the State itself has inserted in its Constitution certain clauses which bear on the proper use of this grant, as we will now proceed to set forth.

CONSTITUTIONAL OBLIGATIONS.

The State of California has assumed in its Constitution the following obligations:

"The Legislature shall encourage by all suitable means the promotion of intellectual, scientific, moral, and agricultural improvement." (Constitution, Article IX, Sec. 2.)

"The Legislature shall take measures for the protection, improvement, or other disposition of such lands as have been or may hereafter be reserved or granted by the United States, or any person or persons, to this State for the use of a University; and the funds accruing from the rents or sale of such lands, or from any other source for the purpose aforesaid, shall be and remain a permanent Fund, the interest of which shall be applied to the support of said University, with such branches as the public convenience may demand, for the promotion of literature, the arts and sciences, as may be authorized by the terms of such grant, and it shall be the duty of the Legislature, as soon as may be, to provide effectual means for the improvement and permanent security of the funds of said University." (Article IX, Sec. 4.)

From the above it will be seen that the State has taken on itself the obligation of taking care of the proceeds of the lands granted by Congress for higher education, of investing them securely, and of putting them to a suitable use "for the promotion of Literature, the Arts and Sciences," *as soon as may be*. This was in eighteen hundred and forty-nine; and yet, up to the present time, no action having any definite result has been taken by the Legislature in regard to either the safe

investment of the Seminary Fund, or to the use of any portion of it for the purpose for which it was donated by Congress.

The lands granted for the Seminary Fund have nearly all been sold, and a portion of the principal received, together with a certain amount of interest. The books in the office of the Surveyor-General show that payments to the amount of twenty-eight thousand four hundred and eighteen dollars and sixty-one cents (\$28,418 61) have been made to the State Treasury on account of the Seminary Fund, for principal and interest, while the books of the State Controller show that there is only about four thousand dollars (\$4,000) standing to the credit of the Seminary Fund in the State Treasury. This discrepancy is not owing to the fact that any appropriations have ever been made from the Seminary Fund, but to the circumstance that the County Treasurers have not distinguished, in their returns of sales, between School Lands and Seminary Lands, but have given receipts to purchasers of lands of the latter class on blanks prepared for School Lands, and doubtless have paid the funds into the State Treasury in the same manner.

It appears, therefore, that legislation is necessary for the purpose of segregating the Seminary Fund from the School Fund, with which it is now to a considerable extent confounded, as also for effecting a determination of the precise amount of principal and interest which has been received on account of the Seminary Fund. As no period is indicated by the law at which the amount due for the Seminary Lands shall be paid in full, it is suggested that some steps be taken in this direction by the present Legislature, the amount now due being about forty-five thousand dollars (\$45,000.) If the whole amount be not called in at once, at least some period should be designated as the time when it will be. This must be done, or, what is still better, the Act of the Legislature, approved April twenty-third, eighteen hundred and fifty-eight, should be complied with, *as has never yet been done*. By this Act provision was made for the sale of the University Lands. It was directed that they be sold, in the same manner, on the same terms, and subject to the same conditions, as the unsold portions of the five hundred thousand acre grant for the Public Schools. It was provided, also, that the proceeds of the sales of the University or Seminary Lands should be paid into the School Land Fund; and that, from time to time, they should be invested in seven per cent bonds for the benefit of the School Fund.

So far, the law seems to have been partially, and, indeed, to a considerable extent, complied with. The lands have been sold, part of the principal and part of the interest received, and the larger part of both paid into the School Fund; but the essential condition of the Act—essential, at least, so far as the integrity of the University Fund is concerned—has never been carried into execution.

It was, namely, directed that the Board of Examiners should, at the expiration of one year from the passage of the Act—that is to say, on the twenty-third of April, eighteen hundred and fifty-nine—take and use fifty-seven thousand six hundred dollars, (\$57,600,) of any money belonging to the School Fund, for the purpose of buying bonds; and when the said bonds had been so purchased, that they should be delivered to the State Treasurer, and kept by him as a special deposit, marked "Seminary Fund," to the credit of said Fund. All interest paid into the Treasury on said Seminary bonds was to be invested in State bonds in the same manner.

But neither on the twenty-third of April, eighteen hundred and fifty-nine, nor at any subsequent time, has the Board of Examiners purchased

the bonds for the Seminary Fund, as by this law required, and the consequence is that the School Fund has had the benefit and use of the proceeds of the sale of the Seminary Lands, and now owes the amount which has been received to the Seminary Fund.

It is time that this condition of things should cease, as it is in direct contravention of the Constitution of the State, and of the requirements of a Legislative Act. It is believed that the Act of the Legislature of eighteen hundred and fifty-eight meets this difficulty in the best way, and that it should be carried out, as far, at least, as the principal of the University Fund is concerned. The fifty-seven thousand six hundred dollars, (\$57,600.) of University Fund principal should be taken from the bonds already in possession of the School Fund, and set apart as a special Fund, marked "University Fund—Principal;" or else a portion of the money now in the School Fund should be used for the purchase of new bonds to that amount.

But there still remains to be considered the income due the University Fund; that is to say, the amount of interest which would have accrued on the fifty-seven thousand six hundred dollars, (\$57,600.) had the law of eighteen hundred and fifty-eight been carried out. The School Fund has been receiving, not only the principal of the University Fund, as fast as it was paid in, but the interest on the lands sold, at the rate of ten per cent per annum. The Constitution of the State requires that the distinction between interest and principal shall be kept up in relation to the University Fund, as only the latter can be used for the purposes of a University.

As it would be difficult to say exactly how much interest would have accrued to the Seminary Fund had the law of eighteen hundred and fifty-eight been complied with, the best way of arriving at a satisfactory result would be to allow interest at seven per cent per annum from the time when the Board of Examiners was required to purchase the bonds, namely, April twenty-third, eighteen hundred and fifty-nine, on the fifty-seven thousand six hundred dollars, (\$57,600.) which will be twenty thousand one hundred and sixty dollars, (\$20,160,) and this amount should be taken from the money now in the School Fund, and set apart as a Special Fund, marked "Seminary Fund—Interest." This amount would then be available immediately for any purpose connected with the support of a University.

We have next to consider how far the proceeds of the Congressional grants of lands will go towards building up an institution for higher education in California, and what, under the circumstances, would appear to be the wisest course of action to be pursued by the Legislature in taking initiatory steps towards making these funds available for the objects they were intended to promote.

For this purpose it will be necessary first to give some idea of the system of instruction (so far as the same can be called a system) pursued in the different educational establishments of the United States of a grade above that of a Common School.

A complete and perfect system of education, or public instruction, implies the creation of institutions for primary, secondary, and higher education. The Common Schools, or Primary Schools, should exist in every town and district in sufficient numbers to give all the children of the State, of both sexes, the first elements of a sound education. This much should be compulsory on all citizens, and should be the first care of the Legislature.

No child should be allowed to grow up in habits of vagrancy; and no State can afford to allow any one, not idiotic, to be brought up without being taught the use of their mother tongue, both in reading and writing, and furnished with some general ideas of history and geography, as well as of morality and religion.

In very thinly settled regions, like large portions of California, and with a more or less roving population, there will always be great difficulty in extending educational facilities to all children; but the greater the difficulty, the more binding the obligation, and no Legislature will be true to its duty which neglects to do all in its power to foster and sustain the system of Common Schools.

Next to the Common Schools, for the support of which the United States Government has, in the newer States, made a partial provision by the donation of two sections of land in every township, or its equivalent, comes the Secondary School—or the Academy, or High School, as this class of institutions is usually called in the United States. The Academies are institutions where all those of either sex who have the means and the inclination to advance a step further in the acquisition of learning than is permitted by the Common School may do so. The Academies usually teach two distinct classes of students, one consisting of boys intending to enter College, the other of boys and girls who are desirous of obtaining what is commonly called a “good English education,” which implies a considerable advance over the Common School.

To illustrate the degree of advancement attained by the “Academies” or High Schools in some of the Eastern States, reference may be made to those of New York, in regard to which statistics may be obtained, as they are all under the control of the “Regents of the University,” and required to report, annually, all the particulars of their condition, in order that they may share in the funds distributed by the Legislature to the Academies.

There were in New York, in eighteen hundred and sixty-one, in active operation, two hundred and seventeen Academies, with twenty-two thousand five hundred and sixty-seven scholars, about equally divided between the two sexes, having two millions eight hundred and twenty-two thousand eight hundred and forty-nine dollars fixed capital, in lots, buildings, Libraries and philosophical apparatus, receiving three hundred and sixty thousand six hundred and sixty-four dollars from tuition fees, and paying four hundred and thirty-three thousand and fifty-nine dollars as salaries to Teachers, of whom one thousand and forty-two were employed. In most of these institutions the following studies were taught: Greek grammar and antiquities; Latin grammar and Roman antiquities; mythology, French, German, anatomy, physiology and hygiene, botany, chemistry, geology, history and rhetoric, arithmetic, bookkeeping, English grammar, geography, algebra, astronomy, geometry, physics, surveying, and trigonometry. In some thirty of the Academies the study of mathematics was carried up to and including the calculus, which is as far as is usually done in our Colleges.

In some of the Academies of New England, and especially in the High Schools, which are free Public Schools in the large cities, the facilities for instruction are more complete than in many of the Western Colleges. The current expenses of the Academies in New England are usually paid by the fees of tuition, but the buildings, grounds, apparatus, and Library are generally furnished by the liberality of private individuals, so that the cost of education is much reduced from what it would be were this not the case. A well endowed Academy, in some localities, may be

little inferior in its educational facilities, to some Colleges; and the chief difference would perhaps be found to be in this fact: that in the College there was nominally, and nominally only, a four years' course of study, which all are supposed to follow.

No provision or grant of land has been made by the United States especially for secondary instruction; although, in most of the State Universities a "Preparatory School" is kept up, which is in part supported by the same means as the higher departments in these institutions. This preparatory School answers in most respects to the Academy or High School, one of its main objects being to fit the pupils for passing the necessary examination for entering the Collegiate Department.

It would be interesting, in this connection, to be able to furnish a statement of the number of pupils attending the High Schools or Academies, as compared with the number of scholars in the Primary Schools; but the data are too imperfect to allow of this being done to any extent. In New York, however, it would appear that there are about forty scholars in the Primary Schools for every one in the Academies; and, to compare College, Academy, and Primary Schools, for every one student in College there are seven at the Academy, and two hundred and twenty-two at the Primary School.

We pass now from the consideration of the Schools for secondary instruction, to the institutions for higher education, including the Colleges, Universities, Professional and Special Schools of Science and Art.

It is only in countries like France and Germany, where there is one brain and one system directing all the details of government, from the highest to the lowest, that there can be a perfect system of educational establishments. In France, for instance, everything is subordinate to the Minister of Public Instruction; not a School or College that does not belong to a system, and have all its arrangements made in conformity with that system.

In this country there is neither unity nor conformity; neither Government supervision, nor, except to a very limited extent, Government aid, in anything beyond the rank of a Primary School.

Our highest institutions have grown up by degrees, adapting themselves to the increasing wants of the community, and spreading as the wave of population has spread, until there are now over two hundred so called Colleges in the United States. The American College is a thing *sui generis*—it is not a University, like those of Germany, nor a Gymnasium, but something intermediate between the two, and partaking of some of the character of both.

The German Gymnasium is often compared to the American College. "But," to quote the words of Professor Lane, of Harvard University, "in the nature of many of the studies pursued, the age at which the pupils enter, and the management to which they are subjected, there is as great a difference between the Gymnasium and the College as between the municipal institutions of Boston and those of the free towns of Bremer and Lübeck. The pupils of the German Gymnasium enter at a tender age, remain some nine years, and are instructed from the rudiments onward, while the age at which they leave the Gymnasium is not much under that of our College graduates. But, up to that time, they are treated as school boys. They are drilled and instructed by Masters, and sit in school from thirty to thirty-two hours a week."

Perhaps the nearest approach to describing the Gymnasium would be to say that it was a combination of our Academy or High School course, with the first two years of a College course. But in comparing German

and American institutions of learning, allowance must always be made for what some would call German slowness, and which others, perhaps with better reason, would denominate American haste. Certain it is that the gymnasiast is considered and treated as a boy, while the American College student, already in his freshman years, looks upon himself as a man, if not so regarded by others.

The last two years of the American College course have no inconsiderable analogy with the University course of Germany. During these years the student is taught to a considerable extent by lectures, as at the German Universities, and is allowed some freedom of choice as to what studies he will pursue. The student, during the junior and senior years in an American College, pursues to a considerable degree such studies as would be taken by a German University student in connection with his, as we call them, purely professional studies.

Almost all the American Colleges require, nominally at least, about the same amount of preparation for admission to the lowest class; but in reality, there is a great difference between different Colleges in the strictness with which the examinations are conducted. Indeed, at too many Colleges they are but little better than a farce.

What is supposed to be required at most of the Colleges as preparatory for admission to the freshman class, is English grammar, geography, Latin grammar, Latin prose composition, and the ability to translate at sight from some of the easier Latin authors, as Cicero, Sallust, and Virgil; Greek grammar, and some acquaintance with the easier Greek prose writers, usually Xenophon; mathematics, including arithmetic; algebra as far as quadratic equations, and sometimes part of Euclid.

The Collegiate undergraduate course extends, in all our Colleges, over a period of four years, during which instruction is imparted both by lectures and by recitations. The first two years are chiefly devoted to the Greek and Latin languages, and mathematics, with exercises in declamation, and the writing of English prose compositions. During the last year of the course the instruction is, to a considerable degree, given in the form of lectures—physics, chemistry, astronomy, geology, mental and moral philosophy, being the principal subjects thus taught. Latin composition, and the study of the more difficult Greek historians and poets, are also pursued during the last two years. Furthermore, the application of mathematics to practical pursuits—as navigation, surveying, and engineering—is a prominent part of the course of instruction during these years; and practice in writing and speaking the English language, by compositions and debate, is continued nearly to the end of the last year.

The propriety of devoting so much time to the study of the dead languages as is usually done in our colleges, has often been discussed, and while almost all learned men are of opinion that this branch of study is of the greatest value, as laying the foundation of a thorough knowledge of the mother-tongue, and of European languages in general, nearly all of which are descended from the Latin and Greek, and as affording an excellent discipline for the mind, and training in habits of study, yet it has been often argued, and not without a show of reason, that the study of the spoken languages of Europe, especially French and German, is really of more practical importance to the student, and that it may be equally valuable as a means of mental and intellectual training. Hence, in several Colleges, as in the "Free Academy" of New York City, which although called an "Academy," is in reality what is generally known as a College, students are allowed, at their option, or that of their parents

and guardians, to select either a course of ancient or modern languages, which they may pursue through the whole four years. The languages, studied by those who take the modern course, are French, German, and Spanish. Another way of avoiding the necessity of devoting so much time to Greek and Latin as was formerly done, has been adopted in quite a number of Colleges. This is the creation of two divisions of students in each class, after the Freshman or Sophomore years. One of these divisions follows nearly the generally adopted routine of study in which the ancient languages are so prominent; this is called the classical course. The other, or scientific course, gives the time otherwise taken up by Latin and Greek, to the modern languages, especially French and German, and also in part to a further study of the practical application of science, especially of chemistry and physics.

In former days the College was considered almost exclusively as the place where young men were to be fitted to enter one of the "learned professions," so called; that is, to become either a "Lawyer," or a Doctor of Medicine, or a Theologian. Indeed, the older Colleges, especially in New England, were established more with the aim of preparing for the study of theology than for any other purpose.

As a natural consequence, the Colleges gradually added to themselves, in many instances, professional Schools, especially those of theology and medicine. In these Schools the collegiate buildings, libraries, and collections were used, to some extent at least, and usually a part of the instruction was given by Professors employed in the College proper—the whole being under the government of one body of Trustees. Thus, the College became a nucleus, as it were, of a system of educational instruction to the whole body, of which the name of "University" might with some propriety be applied, understanding, as we do by that term, a place where the entire range of science and letters is represented, and facilities afforded for instruction in the same.

The Eastern Colleges have gradually developed themselves, especially within the last twenty years, by increasing the amount of information required as preparatory to admission to the Freshman Class, and by making the examinations more thorough and frequent during the College course; so that thus the general standard of scholarship has been raised. Besides this, quite a number of Colleges have added a department of instruction in applied science, or a "Scientific School," as it is usually called, together with other adjuncts, such as observatories, collections of minerals, fossils, animals, plants, models of engineering works, and a variety of such aids to instruction in the various branches of science applied to the arts.

Thus, Harvard University, besides the College proper, or undergraduate course, has separate faculties, buildings, libraries, collections, etc., for Schools of law, medicine, theology, and science, besides the Observatory and the Zoological Museum, which are institutions expressly calculated for advancing science, and not for teaching it. Yale College has also the four departments of theology, law, medicine, and "philosophy and the arts," or *science* represented in the Professional Schools, and the "Sheffield Scientific School," attached to the College.

Schools of law, medicine, and theology also exist as entirely independent institutions all over the Eastern States, and are often very numerously attended and pecuniarily successful, being supported by the fees charged for instruction. It is not by any means true that the larger portion of the students of these Schools are graduates of Colleges; on the contrary, it is unfortunately too often the case that but little if any

previous classical or mathematical training is required for admission to these special Schools. This is the fundamental difference between our system, or want of system, and that of European States. With us no government regulation requires of any practitioner of law, medicine, or theology, any particular preparation for the work he is about to enter into. There are but few municipal or State laws which place any restriction on the taking up of any profession or branch of business, no matter how much a thorough education may be really needed to make its carrying on safe to the people; all this is left to be regulated by public opinion. But in most European States, and especially in France and Germany, the case is entirely different. In those countries no student can enter any of the learned professions, take a place as Teacher in any Public School, Gymnasium, or University, or fill any post in the service of the Government, where anything more than mere menial service is required, without passing a most rigid examination, the requirements of which are strictly proportioned to the importance of the place which is to be filled. It is on this foundation that the whole University system, and indeed, to a considerable extent, the whole educational system of France and Germany rests. It may be easily imagined what changes would take place in our educational institutions if every candidate for a post, either in the State or United States service, were to be required to pass before a Board of Examiners, tied down by the strictest rules, and with whom neither fear nor favor had any chance of operating.

In England, too, up to a recent period, all appointments to civil and military science, or nearly all, were made through political influence or by purchase; but gradually a great change has taken place in the system pursued in that country, and the aspirant to a public office must now prove himself possessed of some qualifications for the place, by passing an examination before a competent Board. By the introduction of this system incompetency is being gradually weeded out from all departments of the public service.

Besides the Primary Schools, Academies, Colleges, and Professional Schools, for law, medicine, and theology, there are special Schools or institutions for certain courses of instruction, of which the Agricultural Schools or Colleges, and the Polytechnic Schools, are the only ones which need be adverted to in this connection. And reference is made here only to those Agricultural and Polytechnic Schools which have an independent existence, and not to those which may be considered as existing in connection with Colleges or Universities, and which have already been noticed.

Numerous attempts have been made in the Eastern States to establish Agricultural Colleges, but they have with few exceptions proved failures. The State of Michigan was the first to put an institution of the kind in operation, and although suspended for a time, it has been started again, having received the promise of the United States grant of lands for a School of Agriculture and the Mechanic Arts. The State has made two cash appropriations for the School, one of fifty thousand dollars, (\$50,000,) and one of forty thousand dollars, (\$40,000,) with which lands were purchased and buildings erected at Lansing. Besides this, the College has received other pecuniary aid from the State in various ways; as for instance: a grant of a portion of the Swamp Lands, and annual appropriations for the salary and other expenses of the Secretary of the State Board of Agriculture, who is also *ex officio* Secretary of the Agricultural School. The Act organizing the School requiring a course of study of not less than four years, and that "the institution shall combine

physical with intellectual education, and shall be a high Seminary of learning, in which the graduate of the Common School can commence, pursue, and finish a course of study, terminating in thorough theoretic and practical instruction in those sciences and arts which bear directly on Agriculture and kindred industrial pursuits." In eighteen hundred and sixty-three there were seven Professors and instructors employed in this institution.

The New York Agricultural College, located at Ovid, Seneca County, was incorporated in eighteen hundred and fifty-three. In eighteen hundred and fifty-five the Legislature passed an Act loaning this College forty thousand dollars for twenty years, without interest, on condition that an equal sum should be raised by subscription, which was done, and a farm of seven hundred acres purchased and large buildings erected. The College was opened December first, eighteen hundred and sixty, but closed after a short period, in consequence of financial difficulties, and the loss of the President, Major Patrick, who is now in the Army.

Besides the Agricultural College in Michigan, there is only one other, so far as known, which is in active operation; this is the Agricultural College of Pennsylvania, which was incorporated in eighteen hundred and fifty-five, and opened in eighteen hundred and fifty-seven, after many difficulties, and which is now in full operation, with a Faculty of five Professors and two Assistants, besides Superintendents of the Farm, Garden, Nursery, etc. The College is located in Centre County, and is partly supported by fees charged the students for board and tuition; the land and buildings, which are extensive and commodious, having been paid for by legislative appropriation and private subscriptions, amounting in all to from one hundred and fifty thousand dollars (\$150,000) to two hundred thousand dollars (\$200,000.)

Both the Michigan and Pennsylvania Agricultural Colleges are, to a certain extent, Manual Labor Schools; the students are required to labor from two to four hours a day on the farm, it being considered essential as a part of the student's education that he be taught the practical application in the field and laboratory of the principles he studies in the class room; while it is argued also that manual labor is essential to the preservation of health and the maintenance of habits of industry. The branches of study which are taught at the Michigan College are as follows: *During the first year*—Geometry, English literature, algebra, trigonometry and surveying, geology, history, and bookkeeping. *During the second*—Physics, meteorology, vegetable physiology, elementary and agricultural chemistry, botany and horticulture, rhetoric. *During the third*—Civil engineering, analytical chemistry, animal physiology, drawing, and rural engineering, logic, zoology, entomology, veterinary, and political economy.

The following is the course in the Agricultural College of Pennsylvania:

The First Year—The student studies arithmetic, elementary algebra, horticulture, elementary anatomy and physiology, physical geography, and elementary astronomy, English grammar and composition, elocution, history, practical agriculture, and the details of management on the College Farm.

The Second Year—Advanced algebra and geometry, general chemistry, vegetable anatomy and physiology, zoology and veterinary, geology, paleontology, practical agriculture and horticulture, logic, and rhetoric.

The Third Year—Surveying, navigation, levelling, drawing, analytical geometry, trigonometry, elementary calculus, natural philosophy, chemi-

eventually made over to the State University or Polytechnic School, or this institution, organized for the purposes of higher education, in accordance with the Constitution of the State, whatever its name may be; that the interests of the State demand that these collections should be placed in a fire-proof building, which may be called the "State Museum," where they will be accessible for the purposes of instruction, not only to the student, but to the general public; and that for that purpose a Board of Commissioners should be appointed to take the matter in hand, select a suitable location, and erect a building, from funds to be drawn from the State Treasury and other sources, as will be explained further on, and that this Board should also report to the next Legislature a plan for organizing and setting in motion a State Polytechnic School.

The term "Seminary of Learning," used by the Congressional Act, is one which may evidently be construed to mean any institution of education which is above the rank of a Common School. The definition of the word "Seminary," as given by Webster, is "a place of education; any School, Academy, College, or University, in which young persons are instructed in the several branches of learning which may qualify them for their future employment." There is evidently no restriction imposed by the term "Seminary," beyond that employed by the separate grants of lands for that purpose and for Common Schools, indicating clearly the intention on the part of Congress of endowing something superior in rank to a Common School.

The various States which have been the recipients of the land grants for a "Seminary of Learning," have invariably designated the institution organized in connection with the grant as a State University; thus we have the State Universities of Michigan, Wisconsin, Iowa, Missouri, etc.

These so called State Universities are generally organized on about the same plan; which is, to furnish instruction to all classes of students above the grade of primary scholars, or those learning reading, writing, and the elements of geography and arithmetic, up to those desiring to pass through a regular College course. Thus, the State University of Wisconsin, which has been some ten years in operation, has a preparatory department, in which boys are fitted for College or for business; a "commercial department," that is to say in plain language, a class in book-keeping; a normal department, or class for preparing male and female Teachers for the Common Schools; and a collegiate department, with a classical and a scientific course, the College proper including, in eighteen hundred and sixty-two, about one fifth of the whole number of students attending the different courses of the University. The State University of Iowa has about the same organization, but has also a Medical School attached to it nominally, in a city distant from the site of the University itself.

The State University of Michigan is far in advance of any other Western institution of learning, brought to this condition by the zeal and admirable executive ability of Doctor Tappan, the Chancellor. This University has a collegiate course proper, and two Professional Schools attached, namely, of Law, and Medicine; and not being encumbered with a Preparatory School, comes much nearer the idea of a University than any other Western institution.

The number of the Professors and instructors is twenty-seven; that of the students was, in eighteen hundred and sixty-two, four hundred; the value of the buildings, grounds, and endowment, is stated at five hundred and eighty thousand dollars (\$580,000.) There is a valuable col-

lection of casts for instruction in the Fine Arts and Architecture, and a well fixed Laboratory for practical instruction in chemistry and its application to the arts. A prominent feature of this University is the Observatory, until recently under the charge of an eminent European Astronomer, and furnished with excellent instruments, with the aid of which important discoveries have been made. It is painful to be obliged to add, that sectarian jealousies and political interference have done much to retard the progress of this institution; and that, of late, they have struck what is to be feared may prove a fatal blow to its prosperity.

In regard to the question of combining the State University, the School of Agriculture and the Mechanic Arts, and the State Museum, the following suggestions may be offered :

First—There is no legal difficulty in the way of such a course. There certainly can be no question of legal right in regard to the establishment of the State Museum in connection with the University; and that the School of Agriculture and the Mechanic Arts may also form a part of the University without violating the spirit of the Act of Congress, seems almost equally clear.

The conditions of the Act making an appropriation of land for an Agricultural and Mechanic Arts School require that some institution should be provided in which instruction in these branches should be given. The intention of the Act is, that the income of the money arising from the sale of the lands should be used for paying for instruction in the branches of knowledge related to Agriculture and the Arts; but as the Act expressly says, not excluding other studies of a liberal character, such as the classics. It is evident, then, that if, by a combination with some existing institution, or, if by a consolidation of the funds arising from this source with those obtained in some other way, both might be used to better advantage, no one could say that the action of Congress had been nullified.

The course taken in several of the Eastern States in regard to this very matter shows evidently what the feeling on this subject is there.

In Massachusetts, where there were three Colleges, each claiming a share of the Agricultural School Fund, the question was settled by the establishment of an entirely new institution, called the "Massachusetts Agricultural College," to which one tenth of the money received from the sale of the lands granted by Congress is to be paid for the purchase of a site; *provided*, seventy-five thousand dollars (\$75,000) is raised by subscription for a building; and two thirds of the interest of the sum remaining is also given to this School or College for general purposes, the other third being placed at the disposal of the Massachusetts Technological Institute.

In some of the States where a State Agricultural College already exists, the grant of Congress has been given to that institution. This was the case in Pennsylvania and Michigan. In New York, however, the grant was not given to the State Agricultural College, but to the People's College. In Connecticut the whole of this grant was made over by the Legislature, with only one dissenting voice, to the Sheffield Scientific School of Yale College. In several of the other States, the scrip has been given to the State University. In Vermont, for instance, it is proposed, not only to consolidate the State Agricultural School with the State University, but also the two other Colleges—the Governor strongly urging upon the Legislature, in his last message, the importance of consolidating the existing weak institutions of higher instruc-

tion in the State into one properly endowed, by which course he thinks the State will be greatly the gainer.

We take it for granted, then, that there can be no possible legal difficulty in the way of uniting the grant of land for a School of Agriculture and the Mechanic Arts to that for a University.

Second—It remains to prove the necessity of the proposed consolidation in this State, and the first ground to be taken is that of economy. As has been fully shown, the amount of money which can ever be received from the University and Agricultural School grants is far too small, even combining both together, to build up one respectable institution. How absurd it would be, then, to fritter away what little we have by organizing two separate institutions, one of which must necessarily be to some degree a rival of the other.

To illustrate the loss which would ensue by separating the Agricultural School from the University Scientific School, we may refer to the department of instruction. Of the twelve Professorships which, as will be seen further on, we consider necessary to an institution of general science on a moderate scale, there are only three which are peculiar to an Agricultural School; all the others would be necessarily connected with any University or Scientific School which might be established. And as there is only one Professorship in that list which is peculiar to a Mining School, and one to an Engineering School, it follows that there are seven of the twelve Professorships which are common to all three of the courses of instruction, and that the services of these seven Professors would be equal to those of fourteen which would be required if two distinct institutions were to be built up.

And so with regard to collections and Library; all will admit that either an Agricultural, a Mining, or a Polytechnic School will need extensive collections in geology, mineralogy, and natural history. The sciences are so interwoven with each other, that no department can be successfully taught without help from the others. One Museum will suffice for all the wants of the State in the way of practical instruction in science; and, if there be only one, it will in time become a complete and valuable one; but, if otherwise, a very much larger amount of money will be expended, and even then, all will be imperfect. The same holds good in the matter of Library, physical and chemical apparatus, and other essentials which may be used in common by students of science applied to any department of art.

These considerations show, as it seems to us, most conclusively, that without consolidation of the Agricultural School with the University Scientific School, there will be great loss, and that the probable result will be two feeble and almost useless institutions, instead of one strong and successful one.

It may be argued that an Agricultural School without an experimental or model farm attached, is an absurdity, and that no arrangement should be entered into which will prevent such a farm from being attached to the institution. To this we would reply, that the Congressional grant is for a School of Agriculture and the *Mechanic Arts*, not for the former alone, and that since mining, which is one of the *Mechanic Arts*, is altogether the leading interest of the State, and the one to which science can render the greatest help, we have a right to consider the mining interests as well as the agricultural in the organization of a practical School, and that it is not by any means our duty, in organizing this institution, to make the mechanical department altogether subor-

dinate to the agricultural, as it would be, if all the funds were to be expended on a farm in the country.

Again, it may be doubted whether the processes and methods of farming in California are of a nature to allow of their being successfully taught in a model farm. The State is too new, and her territory too large and too thinly populated, to allow, at least for a long time to come, of much compact and elegant farming. The great improvements to be made here will, as we conceive, be in the line of the application of capital to hydraulic enginery, rather than to experiments with manures and fertilisers. The farmers can be benefited by the expansion of mining enterprises and the creation of a market for their products by the development of mines and manufactories, far more than they would be by giving their children the opportunity of practicing farming on a small scale under the eye of a Professor.

Nothing that has been said above need be construed so as to prevent the formation of an Agricultural School, as a branch of the State University at some other locality at some future time, if the wants and means of the State should seem to justify such a course; but, for the present, we are satisfied that the interests of the large majority of the people require the consolidation of the School of Agriculture and the Mechanic Arts with the proposed Scientific or Polytechnic School of the University.

The question arises, whether an undergraduate course, like that of most or all of our Eastern Colleges and so called Universities, should form a part of the State University of California. There is no State University in the country where this is not the case; but we are inclined to believe that it will not be advisable, at least in its incipient stages, to organize our institution on the plan of an Eastern College; and the following reasons may be given in support of this opinion:

There are several Colleges, and Schools calling themselves Colleges, already organized and in operation in this State. These, like nearly all the Collegiate institutions at the East, have been established by different religious sects and denominations, and each is supported chiefly by those of the same belief. There is no reason to suppose that the establishment of a State College, however liberally it might be endowed, and however well managed, would put an end to the other Colleges, because the State Institution, being necessarily detached from all sects, would be looked on as a sort of infidel concern, and people of strong religious instincts would prefer to patronize institutions which were managed by those of their own way of thinking.

It is believed, therefore, that the Colleges already existing, and those which will undoubtedly be got up by other sects not yet represented by such institutions here, will suffice for giving the kind of instruction usually imparted in a College course; for it is reasonable to suppose that, in a State as new as California, and with its peculiar conditions, it will be a good many years before the number of persons demanding a College education will be large.

If this be the case, it would certainly be better that the State University should select some other portion of the great field of Science and Art not yet cultivated here, rather than that it should trespass on regions already occupied. By the plan proposed, the Colleges would be feeders to the State University, and thus one institution would aid in developing the other; for students coming from the College to the University School would stand higher and be more successful in their professional career than those who had a less amount of preparation—just as those students

in the Professional Schools at Yale, or Harvard, who have been through the undergraduate course, have great advantages over those who have entered without this previous discipline.

It might be argued that the State University and Agricultural School Funds should, together with the geological collection, be made over to some existing College; but this seems to be rendered impossible by the fact that all the Colleges are of sectarian characters, and that most or all of them have sectional provisions in the laws by which they have bound themselves to be governed, so that the State could not join with them without violating the article of the Constitution which provides that no preference shall be shown to any religious sect or profession.

The following reasons have led to the recommendation of San Francisco as the point where the proposed University should be established:

First—It is the most populous city of the Pacific coast. The number of its inhabitants is probably now over one hundred thousand—a number at least five times as great as that of any other city this side of the Rocky Mountains. This concentration of population at San Francisco is still going on, and will undoubtedly continue for an indefinite period, as this city has natural advantages which no other point on the Pacific coast can show. It is and must remain the commercial and manufacturing emporium of the North Pacific coast of America, and however great the fluctuations in the prosperity of the State of California may be, the march of this city will be onward, since the whole region from Mexico to British Columbia contributes to its support.

Second—It is the most central point of the State. One third, at least, and probably as many as two fifths of the population of the State lives in the immediate vicinity of the Bay of San Francisco. By its system of river and bay steamers, it connects together Northern, Southern, and Central California; it is the point where all persons coming from abroad by sea must land, and from which radiate lines of communication in all directions towards the interior. A much larger proportion of the population of the State visit San Francisco than any other point. But:

Third—It is by far, and out of all proportion, the wealthiest city in the State. One third of the taxes which support the State Government is collected at San Francisco, and if the present rate of increase continues, as there is every reason to believe it will, this city will soon be paying one half the expenses of the State.

Fourth—The climate of San Francisco is equable, bracing, and healthy, and is better fitted for sustained study and vigorous intellectual effort than that of any other part of the State.

There can be no doubt that a State University, especially in a country as thinly inhabited as California, should be located where it will be accessible to the greatest number, and above all, that it should be situated in a wealthy community, since it cannot rely wholly on State aid for its development and support, but must call for assistance on those who have the means as well as the desire to do something to promote the cause of higher education. It is chiefly, in fact almost exclusively, from bequests and gifts of rich men that Yale and Harvard Colleges have been enabled to develop themselves into institutions of such magnitude and importance. Indeed, almost all the Eastern Colleges have arisen from humble beginnings by the gradual accumulation of voluntary donations, and we do not know of a single important educational institution that has relied solely on State or United States grants, excepting, of course, West Point, which is supported entirely by the United States as a military necessity.

The establishment of the Geological Survey was in fact the first step towards the production of a State University. Without the information to be obtained by that Survey, no thorough instruction was possible on this coast, either in geography, geology, or natural history; for the student of these branches requires to be taught in that which is about him, and with which he is brought into daily contact, as well as that which is distant and only theoretically important. The student of geology in California demands to be posted on California geology; he wishes to know what formations occur here, what fossils they contain, what ores and minerals characterize them. However valuable text books may be which are published at the East or in Europe, and which give an idea of the general principles of the science, and of their application to other regions, that is not enough; it is here that these principles are to be applied and made available; and it is only by the aid of the information collected by the Survey and the specimens arranged to illustrate the various departments of the work, that the student can have light thrown on these important studies. How could the Professors of Metallurgy teach this branch unless the processes employed here, and all over the country, from Mexico to Washoe and Reese River, had been studied out, described and compared, so that their merits and defects might become known and thoroughly understood. As the matter now stands, the whole science of metallurgy, as applied on this coast, is a perfect chaos; and years of the most elaborate and patient investigation will be required to elucidate the subject and place it in a condition to be made available for teaching.

So in regard to teaching natural history, which all will admit to be one of the most important branches of learning to be studied in a new country. Take botany, for instance, and we quote from an already published address of the State Geologist, "all that is known of our botany at the present time is in detached fragments, scattered through the reports and transactions of various learned societies, the journals of foreign horticultural associations, the official reports of Government Exploring Expeditions, and railroad Surveys, or in pamphlets published by individuals; works forming in the aggregate a very large number of volumes, nearly all of which are beyond the reach of the public generally, and many only to be found in a few large Libraries. These documents are in various languages, and many of them have never been translated into English. No attempt has been made to classify our botanical productions into one systematic whole, to arrange these descriptions into one volume, or series of volumes, or even to enumerate or catalogue our plants, and give the authorities where they may be found. The latter work has indeed been attempted, on a plan embracing the whole Pacific Coast; but although begun under the auspices of a high scientific institution, it has never been completed, and no part of it has ever appeared. Moreover it was proposed to be a mere pamphlet, at most, for the use of scientific men in making further investigations. No botanist in the world can tell how many species have already been described as occurring in California, while a great number have never been noticed at all; and of those which have been, the descriptions are often incomplete and inaccurate."

If a knowledge of botany is of any importance to mankind anywhere, either in its intellectual or economical bearings, it must be here in this new and active State. And all must allow that as yet we have neither the literature in an available form, nor the materials in our herbariums, to furnish what is required, and that they can only be obtained by systematic and continuous labor and study.

The collection of the Geological Survey will be of the greatest possible importance, not only for the general instruction of the people, but especially for the purposes of higher education in the University, and we do not hesitate to recommend that, as has been usually done in the Eastern States, these collections should be made over to the institution which is now proposed to be organized. When properly arranged in a building fitted for the purpose, they will form an ornament to the city where they are placed, and will attract strangers from every part of the Pacific Coast. Once the State Museum established in a suitable building, and gifts of specimens, some of which will be of great value, will undoubtedly flow in from all quarters.

Many valuable things have already been contributed by private individuals, but a much larger number would be if the donors could be certain that the articles given would be preserved from destruction by fire, or otherwise taken care of and placed where they could be seen by the public.

As the State has this valuable, and to the University, indispensable material on hand in a place where it is not protected from loss by fire, and not available for exhibition, we conceive that the first thing to be done towards putting the State University into operation is to erect a building for the State Museum, in which ample room shall be provided for displaying the geological and natural history collections, and in which they will be perfectly safe from fire. This building should be so constructed that the State may occupy it for the purposes of the Geological Survey as long as that work continues; and when that is terminated, it should be handed over to the University and placed under the charge of the officers of that institution. Whether the Geological Survey be continued or stopped, it is of importance that this building be erected at once. If the Survey is to be stopped, it must be evident to all that before the different persons who have been employed in getting together these collections, in all branches of natural history, leave the State, the materials they have collected should be arranged, labelled, and put in available form for the purposes of instruction and exchange; otherwise a large part of the value of the collections will be lost, since this can only be well done by those who are perfectly familiar with this vast mass of materials.

If, on the other hand, the Survey is continued, it is equally important that a safe locality should be provided where the constantly increasing mass of manuscripts, maps, specimens, as well as other valuable property belonging to the State, may be stored so as to be protected from fire, and where the laborious task of arranging the materials may be carried on *pari passu* with the Survey itself. A Laboratory is also indispensably required for the purposes of the Survey, and the expense incurred in fitting it up would be almost entirely lost to the State, unless it could, after the close of the Survey, be made available for the purposes of the University.

We propose, therefore, that a building be erected for the State Museum, which shall have ample accommodation for displaying and storing the State geological collections, and in which shall be room for a Library, a Laboratory, and the necessary offices for the Geological Survey, and also a lecture room, in which instruction may be given at such time as may hereafter be deemed advisable, so that the institution shall be sufficiently complete in itself to answer the purposes of a Scientific School, in case that from any cause, impossible now to fore-

see, nothing further should ever be done towards establishing the State University.

To establish an institution in California which shall be of real benefit to the people of this State, it is necessary that it should furnish some kind of information and instruction which cannot be obtained elsewhere. It should be something specially adapted to the wants of this side of the continent, and having, on that account, peculiar advantages for students here. Moreover, to compete successfully with Eastern institutions, it must be built upon a substantial basis, and make some approach to completeness in its organization. Parents finding that they can support their children at the East, or in Europe, while in the Professional School or College, at less than it will cost them here, will send them there unless there are strong inducements to keep them within the State.

It must be remembered that a superficial education in those branches which would be taught in a Polytechnic School could be of little use to the student, and certainly no credit to the State itself.

Students of the California University will have, at their entrance into practical life, to compete with students who have had the advantages furnished by old, well endowed, and skilfully managed institutions at the East and elsewhere. Young men will always be coming to California who are graduates of the Yale and Harvard Scientific Schools, of the Mining Schools of France and Germany, or of other institutions where thorough courses of instruction are given, and the student only allowed to take a degree after passing a severe examination. It is with these young men that those educated in this State will have to compete, and if our University adopts a superficial course, requires no examination for admission, gives degrees to all who ask for them, and endeavors only to make itself popular by opening its doors to all, and basing its claims to public favor solely on the number of names inscribed in its catalogue, there will be no results gained which will add to the reputation of California, and it will, moreover, be doing great harm to the young men whom it induces to act on the belief that superficiality and haste will ever answer the purpose where an education in practical science is concerned.

In view of what has been set forth in the preceding pages, we are most decidedly of the opinion that the form of an institution under which the State University and the Agricultural and Mechanic Art School should be at first organized should be that of "Polytechnic School," or "School of Science and Art."

The School should have for its object *the professional training of young men in the exact and natural sciences, and their application to arts, manufactures, mining, and agriculture.* We would recommend the course and system of the Rensselaer Polytechnic Institute as a general guide in the organization of the "California Polytechnic School," with such modifications as may be found desirable, and especially with the addition of courses of mining, metallurgy, and agriculture, to those established at that institute.

Such an institution, even on a moderate scale of completeness, should embrace the following distinct Professorships :

- 1.—Mathematics and Astronomy.
- 2.—Drawing and Design.
- 3.—General Physics and Meteorology.

- 4.—Mechanics and Engineering.
- 5.—Mining and Metallurgy.
- 6.—General and Agricultural Chemistry.
- 7.—Botany and Vegetable Physiology.
- 8.—Zoology and Animal Physiology.
- 9.—Geology and Mineralogy.
- 10.—Modern Languages.
- 11.—English Language and Literature.
- 12.—Practical Agriculture.

We do not intend to enter into a full plan of organization for the proposed Polytechnic School, but rather to leave this work for a special commission to be appointed by the present Legislature and to report to the next. This list of Professorships is given to show how considerable an amount of money will be required for commencing the institution even on the most moderate scale.

Supposing the whole amount of land granted by Congress for the University and the Agricultural and Art School to be sold at the highest price attainable, (one dollar and twenty-five cents per acre,) the whole amount at interest to be received, if the principal be invested in State seven per cent bonds, will be seventeen thousand and eighty-seven dollars (\$17,087) annually, and it needs no argument to prove that in the meridian of California this sum will go but little ways towards the support of a State Polytechnic School which will be of any value to the community.

The grant of lands for the University, invested in the same manner, will yield four thousand and thirty-two dollars (\$4,032) per annum, and no more.

If the Agricultural and Mechanic Art School Lands were all sold at one dollar and twenty-five cents (\$1 25) per acre, the annual interest on the proceeds at seven per cent would be thirteen thousand one hundred and twenty-five dollars (\$13,125); but this amount can never be realized from their sale, as the quantity of lands to be thrown on the market by the sale of soldiers' warrants and of Agricultural School Lands is so enormous that the value of United States Lands will be very much diminished. If the whole thirteen thousand one hundred and twenty-five dollars (\$13,125) could be realized, it would support the three Professorships on the above list which belong particularly to the agricultural course of the School, namely, those of Botany and Vegetable Physiology, of Zoology and Animal Physiology, and of Practical Agriculture, and would do no more.

How absurd it appears, therefore, to insist on the establishment of a separate Agricultural School, when the funds likely to be realized from the grant for that purpose will not half pay the expenses of three Professors.

The whole value and success of the institution would be in a high degree dependent on the character, learning, and ability of the Professors selected, and it would be impossible to procure the services of the right kind of men in any other way than by giving them salaries which would be fully on a par, all things considered, with those given in the best Eastern Colleges, so that such as might be needed could be drawn from those Colleges. It will be useless to expect to command the services of men of first rate ability, at salaries for full Professorship, of less than from three thousand five hundred dollars (\$3,500) to four thou-

sand dollars (\$4,000) be given, and the Assistant Professors should receive at least two thousand four hundred dollars (\$2,400).

It will be seen, therefore, that we have very little faith in the success of an institution which should commence its career with an endowment which shall yield less than fifty thousand dollars (\$50,000) per annum.

This would require a fund of five hundred thousand dollars (\$500,000), invested at ten per cent per annum, or of seven hundred and twenty-five thousand dollars (\$725,000), if invested at seven per cent. But although the State will not be likely to pay over seven per cent on the amount received into the State Treasury, ten or twelve per cent could be realized on all moneys subscribed by private individuals, or otherwise placed in the hands of the Board of Regents or Managers of the University, as such moneys could be invested by them without difficulty, and with perfect security, so as to realize that rate of interest. The amount mentioned above as necessary to carry on a Polytechnic School, even on a moderate scale of completeness, may seem large; but if we compare it with the available means of some of the Eastern Colleges and Universities, it will appear quite small, especially when we take into consideration the greater cost of living here, and how much higher all expenses connected with such an establishment as a College would be on the Pacific coast than they are on the Atlantic side of the continent. The regular income of Harvard University is about one hundred and fifty thousand dollars (\$150,000) per annum, and it has over one and a half millions invested in productive property, besides all the grounds, buildings, libraries, collections, and museums belonging to the institution, which certainly cannot be worth less than two or three millions. But these figures are constantly increasing, as not a year elapses that large additions are not made by bequest or gift to the funds or property of the University.

The receipts of Yale College are about seventy-five thousand dollars (\$75,000) per annum from invested funds and fees of tuition. The invested property, which is productive, is about half a million, and the value of the buildings, grounds, libraries, and collections, cannot be less than a million.

Finally, we believe that by the establishment of the proposed State Museum, and the carrying out of the measures proposed by this Board, that an honorable beginning will have been made towards the establishment of the State University, and that this is all which the present condition of the State finances, in view of the constitutional provisions against the increase of the public debt, will admit of. We believe that the prospective value of the institution, and the manifest advantages to the City of San Francisco from having it located at that point, will bring forth a generous response from the city to an appeal for a portion of the funds requisite to erect such a building as is needed, and that the means procured, combined with the accumulated interest on the Seminary Fund now in the Treasury, although credited to the School Fund, as has already been explained, will be sufficient for the purpose.

We further believe, that when the Board of Commissioners appointed for that purpose makes its report to the next Legislature, two years hence, the way will be made clear for raising the necessary funds from State, city, and individual liberality combined, to justify the putting in operation, partially at least, the proposed State Polytechnic School within four years from the date of this report, if California continues to flourish as she has hitherto done, and as we trust she will continue to do. And in concluding this report, we beg leave to offer the annexed draft of a

law in which are embodied the ideas and provisions indicated in the preceding pages.

AN ACT

TO ESTABLISH THE STATE MUSEUM OF CALIFORNIA, AND TO PROVIDE FOR THE ESTABLISHMENT OF A SCHOOL OF PRACTICAL SCIENCE AS A BRANCH OF THE STATE UNIVERSITY.

The People of the State of California, represented in Senate and Assembly, do enact as follows :

SECTION 1. The Governor of the State of California, the Surveyor-General, the State Superintendent of Public Instruction, and the State Geologist, with three other persons, to be nominated on or before the first day of March next, one by the State Agricultural Society, one by the Mechanics' Institute of San Francisco, and one by the California Academy of Natural Sciences, are hereby constituted a Board of Commissioners for the purposes hereinafter provided in this Act.

SEC. 2. The Board of Commissioners constituted as aforesaid, shall proceed, as soon as may be, to select a suitable site for a building for the State Museum; *provided*, that if the City of San Francisco will donate a lot of land which, in the opinion of the Board, shall be properly and conveniently located, and of sufficient size for the buildings and grounds of a State University, or if any individual or individuals will do the same, and if, furthermore, the City of San Francisco, or any person or persons, will donate the sum of seventy-five thousand dollars for the erection of a building for the State Museum, the site of the said Museum and of the State University shall be permanently located at San Francisco; and if within one year from the passage of this Act the City of San Francisco, or individuals as aforesaid, shall not have provided a suitable lot, and the sum of fifty [seventy-five] thousand dollars as aforesaid, then the Board of Commissioners shall proceed to locate the said Museum and State University at such point as may be deemed best fitted to subserve the interests of the people and the cause of higher education, and may for that purpose invite proposals from all parts of the State for a site and for means of constructing said building.

SEC. 3. Whenever the Board of Commissioners shall certify to the State Controller that the site of the State University has been selected and approved as above, the Controller shall draw his warrant on the State Treasurer, who shall pay the same from the Fund hereinafter provided, to the Board of Commissioners designated above, for the sum of _____.

SEC. 4. As soon as possible after the payment of the aforesaid warrant, the Board of Commissioners shall proceed to erect a suitable building for a State Museum, in which suitable rooms shall be provided for the safekeeping and proper display of the State geological collections, and also for a laboratory, library, and lecture room, and such other apartments and conveniences as may be necessary for carrying on the scientific work of the Geological Survey; and the said building and appurtenances shall be and remain in the custody and charge of the State Geologist or his Assistants, who shall occupy the same for the purposes

of the Survey, and shall deposit and arrange, so far as can be done, the specimens collected by the Geological Corps, and such as have been and may be hereafter presented to the State Museum; and as soon as the arrangement of said collection shall be so far completed as to admit of its being done with safety and convenience, the said building, or such parts of it as may be properly opened to the public, shall be thus opened during five days of each week, and at least three hours of each day. And the State Geologist shall have authority to make such exchange with scientific societies and individuals as may add to the value and interest of the collection.

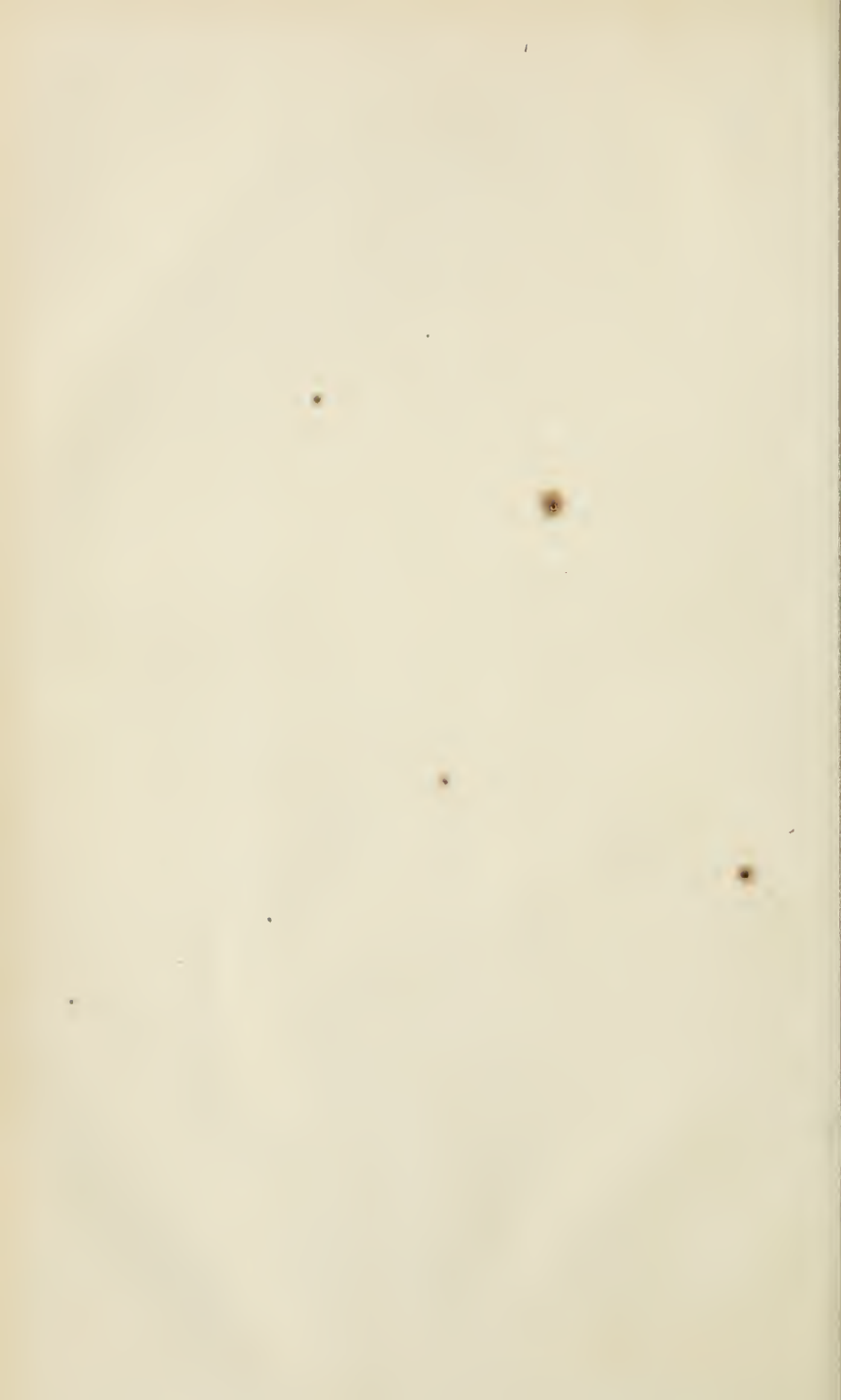
SEC. 5. It shall be the duty of the Controller and Treasurer, within one month from the approval of this Act, to take and set apart from the bonds now in the custody of the Treasurer, marked "School Fund," such an amount of said bonds as, at the average price at which they were redeemed, would be equal to fifty-seven thousand six hundred dollars (\$57,600) in cash, and mark the same "Seminary Fund—Principal," and deposit the same in the State Treasury; and immediately thereafter they shall transfer from any money in the Treasury to the credit of the School Fund an amount which shall be equal to thirty-five per cent of such "Seminary Fund" bonds, as a separate Fund, marked "Seminary Interest Fund;" and on the first day of December, A. D., eighteen hundred and sixty-four, and annually thereafter, they shall transfer from the "School Fund" to the said "Seminary Interest Fund" an amount which shall be equal to seven per cent of the amount of bonds as above marked "Seminary Fund—Principal," which said Seminary Interest Fund is hereby appropriated and placed at the disposal of the Commissioners created by section one to carry out the provisions of this Act. All moneys in the Treasury which have been, or any money which shall hereafter be paid into the Treasury on account of sales of Seminary Lands, shall be by the Controller and Treasurer transferred to the School Fund, as interest or principal, as the same was or may be received.

SEC. 6. Whenever the State Museum Building, provided for in section four of this Act, shall be so far advanced towards completion that the State Geological Collections can be removed to the same, they shall be so removed, and from the time said removal is commenced, the interest accruing on the "Seminary Fund—Principal," bonds shall be and hereby is appropriated to the support and maintenance of said State Museum, for the purpose of paying the necessary expenses of arranging and taking care of said collections, and for all purposes connected with the custody and care of said buildings and grounds; and as long as said State Museum shall remain in the custody of the State Geologist, or until otherwise provided for by the Legislature, payments shall be made from said "Seminary Interest Fund" for the purposes aforesaid, on accounts and vouchers presented by said State Geologist to the Board of Examiners and audited by them; *provided*, however, that nothing in this Act shall be so construed as that the State Geologist shall receive any additional pay beyond that provided in the Act creating the office of State Geologist for any services he may render in connection with said Museum, or the arrangement and disposition of the collections therein.

SEC. 7. The Board of Commissioners constituted by this Act shall submit to the Legislature, on or before the second Monday of December, eighteen hundred and sixty-five, a detailed plan for the organization of a State Polytechnic School in connection with the State Museum provided for in this Act.







REPORT AND PROCEEDINGS

OF THE

Joint Committee of the Legislature

TO INVESTIGATE THE

DESTRUCTION OF THE BATTERY OF GUNS,

MARCH 14, 1864.

O. M. CLAYES.....STATE PRINTER.

ASSEMBLY CONCURRENT RESOLUTION NO. 47.

Adopted March 15th, 1864.

WHEREAS, A battery of artillery, assigned to California by the United States Government, was, on the night of March fourteenth, eighteen hundred and sixty four, destroyed by fire; and whereas, it is currently rumored that such destruction was the result of either culpable carelessness or wanton and wilful determination; therefore, be it

Resolved, By the Senate, the Assembly concurring, that a Joint Committee, consisting of three members from each House, be appointed, and that said committee be required to inquire into the cause of such loss, and report thereon on Monday, March twenty-first, eighteen hundred and sixty-four, and they are hereby empowered to send for persons and papers, and to administer oaths.

PROCEEDINGS.

FIRST SESSION.

SACRAMENTO, March 17th, 1864.

The Joint Committee of the Senate and Assembly met, and visited Mr. Robertson and the scene of the fire.

Organized by choosing Honorable W. B. Hunt as Chairman, and Honorable J. E. Benton, Secretary.

Called at the office of Adjutant-General W. C. Kibbe.

Mr. Hunt stated to General Kibbe that the committee had come to ascertain the cause of the destruction of the battery.

Question.—When did the pieces come here; by what authority; and who made the requisition?

Answer.—The pieces came on Saturday morning, March twelfth, upon requisition of myself—having been notified by General Wright that they were in readiness. The requisition was made about two weeks prior to the arrival of the battery. The battery has not been receipted for—not having had time to inspect it.

Q.—Did you take possession of the battery upon its arrival?

A.—I did. Seven pieces and seven caissons.

Q.—What steps did you take for the protection of the battery upon its arrival, and with whom did you consult upon the subject?

A.—I sent the State Armorer to find a safe place to store them—a fire-proof building, where there was an opening that would permit them to be run out on wheels. He came back in an hour or two and reported that he could find no place except Miller's Stable, corner of Fourth and I streets; could not find the proprietor. We started out to see the place and find the proprietor. We found him. He could not give us the place required, but could possibly make room for one or two carriages; but stated that he had a shed on Tenth street that would cover them; also, referred me to the building where they were afterwards stored. I then went to Frank Malone, who keeps a livery stable on Fourth street, to get a carriage house which he has. He offered to rent one half of it for fifty dollars a month, which would hold about one half of them; but

this would be open during the day and perhaps one half the night. I then got a buggy, and, with the Armorer, searched over a good portion of the town, and found only three classes of buildings that would answer to store the pieces, where they could be run in and out: blacksmith or carriage shops, engine houses, and stables, all of which were occupied; and finally went to the building referred to by Mr. Caboon as a fire-proof warehouse, corner of Thirteenth and L streets. The building is of brick, twenty feet walls, one story, two openings on L street and one on the alley. The doors were seemingly fire-proof, and the roof was, I thought, a fire-proof roof, and that the locality was such that no fire from adjoining buildings would reach it to consume it.

Q.—With whom did you contract to store the guns?

A.—Robertson, or Robinson, a stranger to me. Before renting the building, I rode down to the Governor's, to see whether he would sanction the proceeding or not. I informed him that the guns had arrived, and of the efforts I had made to find a place to store them, and that the building had the appearance of a fire-proof building—that is, the building where they were stored. He says to me, "Go ahead and take it," or "Go ahead and store the pieces there"—to that effect. I asked him how much I should be authorized to pay, and he said thirty dollars a month. I then sent my Armorer to ascertain who was the owner or agent of the buildings, and was to meet him corner Tenth and J, where we were told he resided. I met him there shortly afterwards, and he introduced Mr. Robinson. I told him I wished to obtain storage for a certain number of gun carriages in the building referred to, as it had been decided that they should go there; and I made an arrangement for twenty dollars a month.

Q.—At the time you made this arrangement, did you know the political character or status of this man?

A.—I did not.

By Mr. Scott.—Could they have been stored at Camp Union?

A.—They could only be stored there by courtesy of the officers, as we have no connection with Camp Union, they being United States and we State officers.

Mr. Wood.—Was the requisition made by direction of the Governor?

A.—Tacitly. We had had several communications about arms, and he had given me a carte blanche to go on and get the arms which were to come from the General Government.

Mr. Benton.—What was your object in having the battery brought here?

A.—I did not expect it—it came unexpectedly. When I made the requisition I intended to inspect the arms at Benicia. It is often two or three weeks after a requisition is made before it is filled.

Q.—What did you intend to do with the battery when you made the requisition?

A.—I intended to issue two or more pieces to the artillery company in San José, two pieces to the Marysville Union Guard—the other three to be disposed of as the exigencies of the State might require. The guns are not injured—that is, thirty or forty dollars will repair them. I have saved all the irons of the guns and caissons.

Q.—What was the value of the guns?

A.—About eight thousand dollars, if the guns were serviceable. One was not serviceable, I have found out since the fire. I had not inspected them before the fire.

Q.—What will it cost to refit the guns?

A.—Three thousand dollars. The harness and all the implements are safe in the warehouse down town. As to the explosion, I had not examined, and do not know what the cause of the explosion was. I am satisfied that there was no powder about the guns when stored.

SECOND SESSION.

TESTIMONY OF GOVERNOR LOW.

FRIDAY, March 18th, 1864.

His Excellency F. F. Low appeared before the committee and testified as follows :

Question.—State all you know concerning any requisition for the battery of field pieces which was destroyed by fire in this city on the fourteenth instant.

Answer.—About three or four weeks ago, according to my recollection of the time, I received a communication from General Wright, saying that he would turn over to the State two batteries of artillery. Prior to receiving that communication, it seems there had been an artillery company organized at Napa which had been applying for a couple of field pieces for some months, of which application I knew nothing. Finally, Captain Coombs called upon me and stated the fact. I wrote to Colonel Drum at San Francisco, asking that two pieces might be turned over to this company from the Benicia Arsenal, if they had them, which was promptly complied with, and immediately after I received this communication from General Wright stating that he was prepared to turn over the balance of the two field batteries, which would amount to ten guns. There was an application about the same time from a company at Marysville to be changed from an infantry to an artillery company, which I granted; but my own opinion at the time was that the guns had better remain at Benicia until wanted, and then be immediately sent from the Arsenal there. General Kibbe spoke to me about this time on the subject, and asked me if they had better be brought to Sacramento. I said no; that I thought they would be safer at Benicia than any place we could find for them in Sacramento, and we had better let them remain there until they should be wanted for the militia of the State. I heard nothing more about them until Saturday.

Q.—The question is concerning the requisition for this battery.

A.—I have issued no requisition, and none has been issued by my orders. On the contrary, I have expressly told the Adjutant-General that I wanted them to remain at Benicia until they were wanted by the military.

Q.—Upon their arrival here were you consulted concerning their temporary disposition, and if so, by whom, and to what extent?

A.—On Saturday, about twelve o'clock, I should say, General Kibbe called at my office and said that the guns had arrived at Sacramento, and, said he, "I have been looking for a place to put them." Said I, "How came they here? Who sent them, or who ordered them?" He

replied that Captain McAllister had sent them without any orders whatever. He then stated that he had been looking for a place to put the guns in; that a suitable building was difficult to find in Sacramento, as they required wide doors, different from ordinary buildings; that he had been searching through the town, and had succeeded in finding a building up town which had been used as a stable. I asked him if there was any hay in it. He said there was a little. Said I, "If you put them where there is hay the Secessionists will get in and burn them up." He replied that he did not know yet whether he could get the building or not; he had not found the owners yet, but in case he concluded to take the building the hay could be removed, and there were iron doors which could be so effectually closed that nothing could get in. He went from me in pursuit of the owner, and since then I have heard nothing at all on the subject until the guns were burned. He never consulted me afterwards—never told me that he had seen the owner—never told me that he had secured the building; nothing of the sort.

Q.—You had conversed with him previously about leaving the guns intended for San José, Napa, and Marysville, at Benicia?

A.—The guns for Napa were delivered immediately.

Q.—And the guns for Marysville?

A.—When they were wanted, but the order had not come.

Q.—Were any of those guns wanted?

A.—I had no official notice, but I knew that other companies would need the guns very soon.

Q.—You had conversed with the Adjutant-General, and expressed your wish that the guns should be kept at Benicia until they were needed?

A.—Yes, Sir; and I stated, as a reason, that I thought if they were kept there they would be safer, and also that if they were brought here it would incur expense to no purpose.

Q.—Had you any knowledge that a requisition for those guns was to be made?

A.—None whatever.

Q.—There was no tacit authority, then, given to General Kibbe to issue a requisition for these guns?

A.—Nothing, directly or indirectly, in any way, shape, name, or act; but I expressed my wish directly that the guns might remain at Benicia until they should be needed for the different companies that wanted them.

Q.—You were not asked to inspect the building in which it was proposed to store them?

A.—No, Sir.

Q.—And did not know in what building they were to be stored?

A.—No, Sir.

Q.—After they were stored, were you apprised of the place?

A.—No, Sir; I heard nothing of it until I saw them burned up. If he had called on me to inspect the building, it is doubtful if I could have done so, my time was so much occupied by other duties; but I was not asked. General Kibbe told me he had found a building, but did not know whether he could get it or not, as he had not seen the owners yet.

Q.—On the day on which the cannon were stored, did you ride out with General Kibbe in a buggy?

A.—I got into his buggy and came to the Controller's office, to receipt for the warrants due the Third and Fourth Brigades for clothing. That

was his principal business, I supposed, at the office with me, to get those warrants; and the gun business I supposed was an incidental matter.

Q.—That was at the same time that he called on you and told you about this building?

A.—Yes, Sir.

Q.—At the time General Kibbe spoke to you about the building, and its being one that perhaps was suitable for the purpose, did you tell him to go ahead and get it?

A.—I did not make any suggestion about it; or, rather, I did make a suggestion in this way, that whatever he did, to take no lease of any building, but to hire it from month to month, as the guns would be ordered away shortly, and the building would not be wanted.

Q.—Was anything said about the price?

A.—I do not know that there was. There could not have been, because he had not found the owner yet.

Q.—Did you confine him to any certain amount of rent?

A.—No, Sir. I would not be certain, however, but he said that probably it could be got for a certain price, but he did not know, because he had not seen the owner.

Q.—Did you order him not to exceed thirty dollars, or fifty dollars, per month?

A.—No, Sir. He may have suggested that perhaps it could be got for thirty or forty dollars per month, but I gave him no restrictive orders.

Q.—Do you know that the price was spoken about?

A.—Yes, in this connection, that I told him not to make any permanent arrangement for the rent, but only take the building from month to month. At the time, I think he suggested that the building could be had for thirty or forty dollars per month; I do not recollect.

Q.—In making a requisition for arms do you sign the requisition as Commander-in-Chief, or General Kibbe as Adjutant-General?

A.—He usually makes the requisition, and signs it "by order of the Commander-in-Chief, William C. Kibbe, Adjutant-General," and then submits it to me for approval.

Q.—Did you approve the requisition on Captain McAllister?

A.—For the two pieces?

Q.—For the battery destroyed?

A.—No, Sir.

Q.—Did you know that there was, or have you seen such a requisition?

A.—On the contrary, I supposed there was not, because General Kibbe told me that they came here without any orders whatever. I was surprised at it, taking into consideration my previously expressed wishes on the subject.

Q.—At the time the one thousand stand of arms was issued was there a requisition?

A.—A requisition was sent to me, and I returned it to General Kibbe, saying that I approved of it, but I did not indorse it.

[Here the Chairman read the requisition for cannon, etc., issued February twenty-sixth, and signed by General Kibbe.]

The Witness.—General Kibbe told me distinctly that the guns came here without any orders. I expressed my surprise when he told me the guns were here.

Q.—And he expressed his surprise, also?

A.—He expressed surprise, also. I said, "How did the guns come

here?" speaking rather shortly, I imagine, for I felt annoyed at the time, after what I had said, that I desired the guns to remain at Benicia; and he said Captain McAllister had sent them without any orders.

THIRD SESSION.

FRIDAY AFTERNOON, March 18th.

The committee re-assembled at four o'clock P. M. Present, Messrs. Hunt, Benton, Scott, Roberts, and Wood.

*ADJUTANT-GENERAL KIBBE RECALLED.

Mr. Benton.—There was a desire expressed on the part of some to get a little fuller answer to some of the questions. I had to put the answers down in my long way of writing. Be good enough to answer a little more in detail than that which we have taken down before.

Answer.—I will tell you all I know; I do not intend to keep back or reserve anything.

Q.—General Kibbe, when did the battery which was burned arrive here?

A.—It arrived on last Saturday morning; I believe the twelfth, Sir.

Q.—Who made the requisition?

A.—Havn't you got that testimony, Sir?

Q.—I have got it partially, Sir, but it is not clear.

A.—I made it. I thought that was taken down.

Q.—It was. I am only repeating some, with additional questions, and putting some of them in different form. When was the requisition made?

A.—You have a copy of it, Sir; I do not recollect the date.

Mr. Hunt.—February twenty-sixth.

Mr. Benton.—Did you give a receipt for the battery?

A.—No, Sir. I received the battery, but I did not receipt for it. I will state to the committee, in extenuation of the answer to that question, that I never receipt for any arms until I inspect them. They had not been inspected, and hence were not receipted for. I have got blank receipts in my office, but they have not been signed.

Q.—You did not receipt for them because you had not inspected them?

A.—No, Sir.

Q.—Well, the question is here [notes of previous examination], "What steps did you take, and with whom did you consult?"—a double question. Will you please answer?

A.—What steps did I take? (Yes, Sir.) I stated in rather an extended reply, perhaps, the other day, what I can state again. On going to my house past Wells, Fargo & Company's office, in the vicinity of Wells, Fargo & Company's office, on Second street, I met the Armorer of the State Armory—the man employed here to take charge of the guns—and he told me that the cannon had arrived, that there was a lot of cannon on the levee, or something to that effect; and I remarked my surprise that they were there, not having been notified that they were coming. There is a difference between making a requisition and order-

ing the arms up. The requisition, if you will read it, does not imply that the arms are to be sent here, but simply to know whether they will be sent or not. They are to be delivered to the State, and the next question is, "Where do you want them?" That was not asked until they came here direct. "You will please deliver to the State"—I think that was the language of the requisition. It is one thing to make a requisition, and another to say where you will receive them. It is a rule generally observed, so far as our communication is concerned, when, for instance, arms are issued in the State of New York, if it is required by the Adjutant that they are to be sent to Albany, or as far as water communication will carry them, free of charge, or at the expense of the United States. They do not take them by land travel usually; and the question is always asked, or should be, "Where do you want these arms?"

Q.—Well, you had made the requisition, and had not ordered up the arms?

A.—No, Sir.

Q.—And you were surprised at their coming?

A.—They came unexpectedly, I should say. I was surprised at their coming without having been notified.

Q.—Well, explain what steps did you take for the protection of the battery, and whom did you consult with on the subject? You did not fully answer.

A.—Did not fully answer? What was the answer to that, Sir?

Q.—Well, your answer here is somewhat in detail. You said you met the Armorer, and he came back in an hour or two and said he could find no place except Miller's Stables, corner of Fourth and I streets, and of that he could not find the proprietor: "We started out and tried," etc., [reading, until] "carriages."

A.—Well, I do not know as to whether one or two, perhaps, would cover the whole thing. I do not know how technically you want this examination.

Q.—Oh, this is not very technical. It was stated that he [Cahoon] had a place at Tenth street that would cover them?

A.—At his house. I do not know where he lives. I never exchanged five words with him in my life before that day.

Q.—"He referred me," [reading,] "to the building where they were afterwards stored."

A.—Yes, Sir; that is as near as I can recollect.

Q.—Well, this is given somewhat in detail. I can read it along: "I then went to Frank Malone, to get the carriage-house."

A.—Yes, Sir. I would ask now, judging from what the committee desire, that they would summon Frank Malone and the Armorer.

Mr. Hunt.—We have four other persons to summon.

Mr. Kibbe.—Well, I wish you would summon these gentlemen; you seem to be desirous to prove some points in reference to this matter. Perhaps I may make a mistake in some detail.

Mr. Hunt.—Oh, that would be nothing. A mistake in regard to any detail would be nothing.

Mr. Benton.—That is nothing. The object was to have the answers on these points a little fuller. I am not a very rapid writer, and we thought we would have Mr. Bowman to take it down a little more fully.

Mr. Hunt.—I may have misunderstood you yesterday in asking you one question—in asking you if the Governor gave you orders to receive these pieces, or to send for them. What was the answer?

Mr. Kibbe.—I do not think you asked me such a question, Sir.

Mr. Hunt.—His answer was "tacitly," I understood.

Mr. Kibbe.—The question was propounded by Colonel Wood if the Governor ordered or made a requisition for those arms.

Mr. Benton.—Colonel Wood asked this question: "Was the requisition made by the direction of the Governor?" That was the question.

A.—I answered "tacitly." The circumstances, perhaps, were these: We had been laboring—been trying to get arms from the General Government for a long time. I conferred with the Governor on the subject on various occasions—on one or two occasions before he was inaugurated. I wrote a letter urging the Governor, setting forth the state of affairs in California, to persuade the War Department to do as they had promised to do last year—that is, to furnish the State a quantity of arms, and sent a copy of the letter by Colonel Evans, or some other gentleman, probably Colonel Evans, to San Francisco, requesting that Mr. Low, who had just been nominated as Governor, should indorse it and give it his sanction, in order to create as much influence as possible at the War Department; and I have also had correspondence by which I got the indorsement of our members in Congress, in the lower House, all of them. Since Governor Low has been Governor we have had a good many interviews on the subject—that is, the matter was brought up on different occasions, but Governor Low has never given me any directions positively in regard to receiving arms; but we talked the matter over, and he said: "General Wright has promised this: he will give us so many arms. That is all right." General Wright sent some stands of arms here that were unserviceable, and I wrote him a letter to the effect that I condemned them. They were not fit for use. That was "all right," and that is what I mean by a tacit indorsement of the requisition. I am quite sure I mentioned the subject to the Governor that this battery would be forwarded, and that the same kind of conversation occurred at that time.

Mr. Benton.—Well, did you intend, when you made the requisition, to have the battery brought up here?

A.—I intended to inspect that battery before it came here, or to have it inspected. I intended to send a portion of the arms direct to Marysville, a portion direct to San José, and to do with the others as I was directed—probably leave them here, or send them to Stockton, as circumstances would indicate.

Mr. Roberts.—I would like to ask the General a question, for the satisfaction of the Committee, as to the difference between a requisition being made for arms, and an order directing them to be sent.

A.—I appeal to yourself, Captain. You are Captain of a company, and receipted arms from me. I would beg the privilege of asking you a question in regard to that. I do not recollect the circumstances myself at all, but I know what my usual course is, and I would ask you, after you made a requisition, whether you recollect of any communication having been received from me, as Adjutant-General, in regard to the issuing of these arms, or the manner of sending them, or anything of that sort?

Mr. Roberts.—What I wanted the committee to understand was, as I understood from your testimony, the requisition on the ordnance officer was not an order directly to forward the arms, but simply a requisition to furnish the arms, and that they would be ready for your order at some subsequent time, or that they must be then furnished to your order when required.

A.—That was the idea, Sir ; that they would be furnished to my order, when required.

Mr. Roberts.—As to the manner in which you deliver arms, I will state that so far as my company is concerned, I made a requisition on you for a certain number of arms—for sixty stand of arms—and you notified me in terms that those arms were ready for delivery, and inquired how they should be forwarded, and to whom ; that is as to whose care, or to whom they should be directed.

Mr. Kibbe.—Well, that is the general course pursued at my office and at headquarters.

Mr. Roberts.—I notified you accordingly to forward them to me to the care of a mercantile firm in town. That was the course, if that is what you meant by asking me what was done. That was the course pursued in that instance.

Mr. Kibbe.—General Wright turns the arms over to the State, and the State has to designate where they shall be sent to. The State extends from San Diego to Del Norte in one direction, and from the ocean to the mountains. There should be an arsenal somewhere ; but these preliminaries are always observed—in the transmission of ordnance stores particularly. I would have the committee understand that the men who are acting as ordnance officers of the Government are entirely independent of everybody else—that is, to a very great extent. General Wright cannot remove an ordnance officer. He has command of this Department, but he cannot remove Captain McAllister. It is a separate bureau. They have their headquarters at Washington, and they are responsible only to the Chief of Ordnance, who has his office at Washington. It is entirely a distinct Department, and its business is done in a distinct and peculiar manner, and in a manner which, if carried out, will protect such property as arms and munitions of war, and their transmission, or whatever you have to do with them.

Mr. Benton.—Is it your usual habit to make a requisition first, and then to give an order for delivery, or directions where you will have them sent ?

A.—It is for any quantity of arms, such as would require any particular attention. I could get sixty stand perhaps, or any small quantity ; as, for instance, in a requisition I made a few days ago for fifty wooden muskets. I would state that in the requisition I wished them sent to Sacramento. But the usual course is to ask, "Where will you have these arms sent ?"

Mr. Wood.—Was there any direction at the time this thousand stand of arms, (I asked that question I believe, yesterday, but I do not recollect what the answer was,) when the others were substituted ; was there anything more than a requisition, or was there an additional order sent subsequently ?

A.—I cannot tell you specifically. So many papers pass through my hands in a day, and so many in a week or month, that I cannot possibly recollect. I can bring those papers if you wish. I could not possibly tell you if there was anything specifically stated or not.

Q.—I wish to know whether the same course was pursued in that case as in this, or whether an additional order was sent ?

A.—I think that General Wright in that case ordered Captain McAllister to turn over to W. C. Kibbe, Adjutant-General of the State of California, a thousand stand of muskets, and that he did so turn them over, and I sent them back. Those were the circumstances under which those arms were sent.

Mr. Benton.—General, allow me to ask you a question in regard to this requisition. You say: "General, I have the honor to request an order directing the issuance to the State of California, by Captain McAllister, commanding at Benicia Arsenal, the following ordnance," etc. Did General Wright give you that order?

A.—No, Sir. The last thing prior to the reception of the guns on the levee, was that requisition as it stands. I sent it to General Wright, and saw nothing and heard nothing from him. I received no intimation that the order was approved, or anything of the sort. That requisition was made on the twenty-sixth of February, and on the twelfth of March the guns arrived, much to my surprise. Much to my surprise, General Wright never informed me that he approved the order. Captain McAllister never apprised me of his receipt of the order. There was a lapse between that time and the time of receiving those guns in which no communication passed between General Wright and myself, and the ordnance officer and myself at all.

Q.—Is it common when you make such a requisition as that to ask for an order from General Wright on Captain McAllister, and is it common for him to respond by giving you an order?

A.—Yes, Sir; to send me a note, and to say, "I have approved of your order for arms, to-day." I can show you plenty of notes of that description, if you wish to see them.

Q.—And that order you sent to Captain McAllister?

A.—No, Sir. General Wright may say that he has approved the order and transmitted it to Captain McAllister, and he probably so did; but in this case there was silence. Nothing has been said; I did not know that he had approved it; I thought several times of writing a note to him or calling on him to ascertain if he approved the order; but he never informed me to that effect.

Mr. Hunt.—In making out the requisitions for arms did you sign them "General Kibbe, Adjutant-General," or "by order of the Commander-in-Chief?"

A.—"William C. Kibbe, Adjutant-General of the State of California." That is my signature. The law makes the Adjutant-General the ordnance officer. I venture to say that during my time of service, since eighteen hundred and fifty-two, the ordnance officer at Washington has never communicated to the Governor that he had arms for California, and that he would deliver them to the Adjutant-General, or anybody else. No communication can be found on file at the Governor's office, from the ordnance officer at Washington, stating that he had arms that he would turn over to California; and I can show you that all the orders for every year from eighteen hundred to fifty-two to eighteen hundred and sixty-two, for ten years, direct the ordnance officer at Benicia, or wherever he might be, to turn the arms over to the Adjutant-General and take his receipt. Hence the Governor has never known what arms were coming, except on information from the Adjutant-General that they had been received. So far as I recollect I do not think he has ever known during these ten years, except from information that he received from the Adjutant-General's office. The Adjutant-General, being the ordnance officer, acts in that capacity, as the ordnance officer does in all the departments of the United States Army. He is alone responsible.

Mr. Hunt.—When you told the Governor that you proposed to store the ordnance in the building up there, did he ask you if there was any hay there, or anything of a combustible nature?

A.—Well, I do not recollect whether he did or not.

Q.—Do you recollect of the Governor's saying that if there was hay there the guns might be burned up, or the building might be burned up?

A.—No, Sir; he did not say any such thing.

Q.—You are sure of that, are you?

A.—I feel quite sure of it. As far as my memory serves me, nothing of the sort transpired.

Q.—Did the Governor see the building with you?

A.—No, Sir, not with me. I had not been in the building myself at that time. I had only seen the outside of the building. I had seen that it was a brick building, and what appeared to be a fire-proof roof and fire-proof doors.

Q.—What constitutes a fire-proof door?

A.—You will have to ask a mechanic for that.

Q.—Well, I know; but you are an ordnance officer, and supposed to be accustomed to storing powder?

A.—In regard to storing powder, a fire-proof building is no resistance to powder if you lay a fuse to it. I saw iron shutters, a brick wall, and what appeared to be an asphaltum roof; and I came to the conclusion right then and there that if you were to burn all the cottages around that building, the probability was that the building could be saved.

Q.—If you should see a wrought iron shutter there, or a sheet iron door, could you state whether it was fire-proof—could you tell whether it was wrought iron or sheet iron?

A.—Well, I presume I could tell the difference between wrought iron and sheet iron.

Q.—Well, did you notice whether they were wrought iron or sheet iron?

A.—I noticed that they were iron doors. I noticed on L street that they were what I call iron shutters.

Q.—If there had been a sheet iron door there on that building, would you have noticed it, or would you not?

A.—No, Sir; I did not examine the building.

Q.—Well, the guns were not put in on the L street side—they were put into the L?

A.—The guns were put in on the L street side. You are mistaken about that.

Q.—There is no door in the L building that opens on L street?

A.—I think you are mistaken, Sir.

Q.—Well, I am so perfectly familiar with the locality of the building, that I can mark it right down on paper, and show you that the iron door opens on L street, the sheet iron door on the vacant lot on the south side of the L, and on the north side it opens into the alley. It does not open into L street at all.

Mr. Kibbe.—Towards L street.

Mr. Hunt.—Oh! towards L street. That is it.

Mr. Kibbe.—I wish the committee simply to understand, as I remarked before, that I believed honestly and faithfully (all the parties were strangers to me) that that would be a safe place to secure those guns, and I would take my oath on a stack of bibles to-day, if necessary, that that was my honest conviction.

Q.—The guns could have been taken out to Camp Union if you had seen fit, could they not?

A.—I do not know. That is doubtful; only by the courtesy of the commanding officer.

Q.—Don't you suppose if it had been asked they would have taken them?

A.—Do you suppose General Wright would take charge of the muskets which I have on store?

Q.—I don't know that General Wright would, but if I was Colonel in command out there I would take them.

A.—I do not know whether you would or not. I would not take the responsibility of taking care of them, either with or without pay. A man does not like to beg responsibilities or accept them merely for the work. If the arms were taken out there and destroyed a man would feel a little irritable about it.

Q.—There is always a good feeling supposed to exist between officers of the army and of the State.

A.—You cannot go on supposition. You convict me on supposition.

Q.—We do not propose to convict you of anything, General.

A.—There is no supposition about it. It would be an extra care for the commander at Camp Union to take charge of those guns.

Mr. Roberts.—Supposing that the commanding officer took charge of those guns, would it not have been requisite for him to detail a guard to take care of them?

A.—Of course, in order to have them kept safely.

Mr. Hunt.—Excuse me, Senator; I have been commanding an artillery company for the past seven years. In these trying times I should think almost all commanders would have been glad enough to have had them and taken charge of them.

Mr. Roberts.—I do not think General Wright or the officer at Camp Union would care to take charge of more guns than the Government asked them to.

Mr. Kibbe.—I am quite satisfied of another thing. I would not permit guns, so long as they were in my charge, to be kept as they do them there. They have had their guns out doors there all summer, and never stored them at all. They have them in a vacant space, and covered over only with a tarpaulin.

Mr. Hunt.—Would you have to pay rent up there where the guns were?

A.—The State would have to pay rent.

Q.—Did you make any arrangements in relation to the rent?

A.—I did.

Q.—Did you tell the Governor of any such arrangements?

A.—I asked the Governor how much I would probably be allowed to pay. We talked the matter over, and I said to him, "I presume twenty-five or thirty dollars a month could be charged for the storage of these arms." He says, "Very well; go on and make the arrangements, and I will authorize you to go as far as thirty dollars a month." I made the arrangements for twenty dollars a month.

The committee then adjourned.

FOURTH SESSION.

FRIDAY EVENING, March 18th, 1864.

The committee met at seven o'clock p. m.

On motion, leave was granted to Adjutant-General William C. Kibbe to be present during the examination of witnesses.

On motion, it was ordered that all the witnesses examined be sworn.

TESTIMONY OF BENJAMIN CAHOON.

Benjamin Cahoon was sworn, and testified as follows in answer to questions:

I am not much acquainted with Adjutant-General Kibbe—I know the gentleman by sight. I think it was on Saturday last that he was at my place. He wished to get some place in which to store some cannon and equipage belonging to them. I had a place I proposed to let him have in the second story of my building going in on I street, one or two rooms. It is the building corner of Fourth and I streets, on the second floor. He could have had two rooms twenty by eighty feet, or three if he wanted them.

Question.—Could you run the wagons or carriages in and out of the doors?

Answer.—The week before last they put in a six mule wagon, had it painted, and took it out again. There is a cannon there now belonging to some company, that has been there some time—about two months, I think.

Q.—What objection did General Kibbe make?

A.—He thought the cars running through the street might bother him about getting out and in with his cannon, and wanted to know if I could not let him have the place below. He wanted to put them where we have the stalls for horses on both sides. I told him that would be inconvenient, because some nights the stables were full, and I had rather not have them there, unless it was absolutely necessary—if he could not get any other place. The building is of brick. I do not know that it is fire-proof. It has a tin roof. The doors have not iron shutters; they are inside. General Kibbe mentioned no other fault except the difficulty about the railroad track. There was room enough below, but I did not want to spare it, because we were using it. General Kibbe inquired if I knew any other place; told him I had passed by the building up town that he afterwards took, a few days before, and saw that there was not much hay on the floor, and I thought they could be put there. I also told him I had a shed in my yard at my house, where I kept horses, where he could put them in on the ground. He wanted to know if it was inclosed, and said, if not, he was afraid they would be stolen, or some of the articles belonging with them; told him I had a high fence, and a railroad gate to it, which I kept locked, in order to protect my horses. It is a wooden shed. He said he was afraid they would steal the linch-pins. I told him if he put the property there I would receipt

for the property, and pay for whatever should be stolen, because I did not think there was any danger. I told him I passed this building on L street a few days before, when the doors were open, and saw that there was not much hay in the building, and a large space which I thought would suit him. The subject of the rent of my place was not spoken of.

To General Kibbe.—I did not know exactly how much room you required. There were sash doors to those rooms, so that one could look in through the window. The walls were brick, and the roof tin, but there were sash doors, and no iron shutters. The doors are wood up about four feet, and the rest glazed.

To the Committee.—On Fourth street, almost in the centre between I and J, is an engine house, and the cistern they put the hose on is close to the sidewalk, near by my building. The man that stays there, the man that has the cannon there directs him, in case of fire, to put the hose on the cistern (hydrant) and bring it to the building—not a cistern, but a fire-plug—they could play upon it at once.

To General Kibbe.—I did not state that to you.

To the Committee.—They have a man sleeping at night where the cannon is, and I have other men sleeping in the building—three or four men who work for me. I do not know that they sleep there, but if I knew of their sleeping elsewhere, unless there was some reasonable excuse, I should discharge them at once. It is an arrangement that they shall sleep there.

By General Kibbe.—Do you recollect stating to me that the rooms at the corner of Thirteenth and L streets were a good and secure place to store those arms?

A.—Well, I do not know as I said anything about the security; I said it was a brick building, and empty, as I saw when I passed that way the other day, and I thought likely you might get a chance in that. I do not remember that I explained to you anything about men sleeping in my building, that I remember.

Mr. Hunt.—(to General Kibbe)—Did you think of the lower part of Agricultural Hall as a place to store the guns?

General Kibbe.—No, Sir, I did not.

Mr. Hunt.—Would those doors be large enough to admit the guns?

General Kibbe.—I do not know; I do not think they would. The doors would need to be about as wide as this room, (the back room of the office of the Secretary of State.)

TESTIMONY OF R. L. ROBERTSON.

R. L. Robertson, being sworn, testified in answer to questions as follows :

I have seen General Kibbe; he is the man who applied to me for storage room on the corner of L and Thirteenth streets. It was about noon on Saturday that I was first spoken to on the subject, by a man, I think it is the Armorer, I don't know his name. I was called out from my dinner, and he stated his business, and remarked that General Kibbe had gone down to the city in his buggy, and would be back in a few minutes. We conversed probably five or ten minutes. I told him I would go in and eat my dinner, and when General Kibbe came to call

me out again. Will not be positive whether I went in or not; at any rate, in a short time General Kibbe arrived, and I went out. He was in his buggy, together with his Armorer. Kibbe repeated that he wanted room to store some cannon and carriages, and stated the number. He wanted to know whether I could let him have the room, and what I would charge for it, and perhaps asked some other questions as to the situation of the building, and if I considered it a pretty safe place—something to that effect. I replied to his questions, whatever they were, and then we talked about the rooms, and agreed upon the terms. I told him my lease would expire in July or August, and I could only give him the privilege of storing there until that time. He said that would probably be as long as he would want it, and that some of the guns might be taken away in a short time, and a few might remain as long as that or longer. I agreed to let him store the goods there for twenty dollars a month. I do not know that he had seen the building then, but I rather infer that he had not, from the fact that he requested me to let the Armorer have the key and go over and look at it. We had agreed upon the terms. I think the Armorer then stated that he had to go somewhere, and would return in a short time. I told him I would tell the man who had the key and attended to the barn to go with him, and then I think they both went away. I then told the man to assist the Armorer, when he came, in getting the guns into the barn and storing them. It was Saturday, and I had collecting to do, and do not think I saw my hired man again till nearly evening, when he said the guns had been put in. I did not go to the barn from the time Kibbe applied to me until the time of the fire, and never saw the guns and carriages. General Kibbe had some conversation with me about the keys. He wanted to know if he could have the custody of the keys. I told him he could not, because I had other property stored there—hay and wagons belonging to other parties—and I must have the keys myself. He spoke about having a duplicate key made, so that his Armorer could go in and out whenever he pleased. I told him he could have one, but I did not like anybody else to have the custody of the keys of the barn except myself; I would allow his Armorer to have a duplicate key, or he could come to my place and get the key whenever he wanted to go there. I believe that (the latter) was the understanding, as far as related to having access to the barn. I think General Kibbe stated that he had made an effort to get a building in the lower part of the city, and had not been able to get what he wanted, and this would perhaps answer his purpose as well as any he could get. I think his Armorer stated, before Kibbe came, that he had gone down to see Governor Low on something in relation to this subject. I told General Kibbe, as I did everyone, that the building was intended to be and was considered fireproof. It has been so considered by myself, by persons who stored there, and by Insurance Agents here, who have insured property for me in the building. I have always had my property insured; have had property in the barn for two years; the first year I had a large quantity there; this winter I had hay there again, some which I kept over from last winter. There has been a policy upon it from the commencement of my first lease. The insurance is for eight hundred dollars, I think, and has been renewed. The first winter I had fifty or sixty tons of hay there, and perhaps seventy-five tons; at the commencement of this winter the amount was probably thirty-five or forty tons. The conversation with General Kibbe was as to whether the building was a safe place or not for storage purposes. The doors are of wood, covered with sheet iron

on the outside. They were fastened with padlocks and large iron bolts, with a hasp attached to the bolt. The bolt crosses both doors, and then fastens on to—well, it is a hasp and staple; the bolt is the main fastening to the door; the lock only keeps the bolt to its place; it is a large iron bolt, an inch and a quarter or an inch and a half in diameter. Both sides are fastened the same way, but the keys and locks are different. The padlocks are of about the same quality, but require different keys. I told General Kibbe I kept the building locked, and meant to keep it secure all the time, because I was storing property there.

To General Kibbe.—I never had any personal acquaintance with you, though I had known you by sight for several years. I believe I have been in your office two or three times for the purpose of inquiring about your brother, but I never had any business with you before this. I might have inquired of you three or four years ago about your brother in San Francisco, but I never had any acquaintance that I recollect of.

To the Committee.—At the time of the fire I think I had thirty-five or forty tons of hay in all in the building.

Q.—After the fire broke out did you tell them to look out for powder?

A.—No, Sir.

Q.—Did you tell the Director of the hose cart there to look out for powder?

A.—No; I will repeat what I told you [Mr. Hunt] yesterday. I arrived a few minutes after the door had been unlocked by the hired man, and as soon as I arrived I stated to the gentleman who appeared to have charge of the hose carriage, (I don't know as I directed my remark to him,) but as soon as I got to the door I remarked that there were cannon and carriages stored there, and I mentioned the number—seven cannon and fourteen carriages. I said they were right at the door and I thought they could be taken out. As soon as I made the statement, some one in the crowd—I don't know who—said there was powder also. And as soon as that statement was made, every person there started away from the door and around on to Thirteenth street, that is the street east—one lot intervening between there and the burning building. They started out in that direction, and did not stop till they reached Thirteenth street. I followed, and still insisted to this gentleman that I did not believe there was any powder in the building, and gave as my reason that I did not suppose General Kibbe would store powder there without letting me know it. The gentleman I addressed myself to in that way or at that time, after I had repeated it once or twice, asked me if I knew whether or not there was powder there. I told him I did not, and then stated again my reasons for believing there was not—that I did not think General Kibbe would have stored it there without letting me know it. He then remarked that that would not answer his question, and that they would not go near the building until they knew whether there was powder in the building or not. In a very few minutes after that the fire broke out near the roof, and nobody went back to the door again that evening. I then went around on L street where they were taking hay out of the barn; I could not see any fire when I arrived. There was a dense, black smoke throughout the building, but there was no fire in sight, and no light whatever. I saw no fireman with any torch, or lantern, or light of any kind, and they were calling for a light. The doors had been opened before I got there. The door on the side of the alley had been opened. After I got around on Thirteenth street the man that opened the doors gave the keys to me—that is, the man who works for me; his name is William

Richards. I was on Thirteenth street when he came and gave me the keys. I gave him the keys, and told him to go around and unlock the other door if it was locked. He went directly around, and told me the next morning that he found the door locked, and could not unlock it on account of the heat; I suppose from the fire inside. At that time the fire had broke out on the roof, giving it ventilation, and then the whole inside burst up. I do not recollect what time I heard the first alarm. I had been down town after supper with a market basket, and was standing at the drug store corner of Tenth and J streets when I heard the alarm. I went on to my house and left my basket, and then immediately returned and went to the barn. From the direction of the dense smoke I had an impression that the fire was at the barn. I could see the smoke when I got out into the street, and I saw persons going up J street in that direction. I did not run, but walked pretty rapidly; I met persons who said there was no fire. At that time the black smoke had disappeared, and what smoke there was, I suppose, was about the complexion of the sky, so that it could not be seen very well; I could not see much smoke myself. I still went on, and approached the barn on the alley side, crossing the vacant lots from K street, and coming into the alley at the back end of the barn. There was no flame then showing itself outside. I heard no explosion on my way, or after I got there; heard it spoken of on the ground; some one said it was reported that there had been an explosion. There was no engine company on the ground, but a hose carriage was at the alley door; do not know what one it was. There was no light anywhere around. After I told them about the guns being there, then somebody spoke of the powder, and the hose carriage and everybody else started off; I followed after the gentleman that had the hose carriage, and still insisted to him that I did not believe there was any powder in the building. I think the guns might have been taken out but for the cry about powder. When we got to Thirteenth street he asked the question direct, if I knew, and said they would not go near the building until they had ascertained whether there was powder or not. The alley door was open when I went there; the hired man had been there and opened the door; the door facing Thirteenth (L) street had not been opened. I followed them out when they left the building on account of the report of powder, and while I was out there the hired man came and gave me the keys and locks, or rather he had given them to my son, and my son gave them to me. I told him to go around to the door on the L street side, the south side of the building, and unlock that; that door was not opened till it was burned open, I guess, because the man told me afterwards he could not unlock it on account of the heat. When I looked in at the open door I could see no fire at all, and they were asking for a light; but there was a dense black smoke, which seemed to pour out of the upper part of the door. The hose company had no water, and did not get any for a long time after that; I suppose they were trying to get it. When I got there there was no engine company on L or Thirteenth streets, that I could recollect. The first engine I saw at the fire was on Thirteenth street, or the alley, rather, between Twelfth and Thirteenth, and that was playing on the wooden building west of the barn, that was saved. I have no suspicion or idea of my own in the world as to who set the building on fire. My hired man is an Englishman, who has been in my employment nearly three years. I consider him a very honest, correct, upright man. The keys usually hang in my office on the desk; I do not know that I noticed on Saturday, as I was out collecting; on Sunday I was absent

to a ranch down on the lower Stockton road till about dark in the evening; on Monday no one went to the barn from my place; on Sunday morning three or four teamsters, who had wagons stored there, came to my place after breakfast and requested the keys, to go over and look at some harness; they said they wanted to see whether the rats had eaten their harness or not. I let them have the keys, and charged them to bring them back, and before I left home they were returning; I met them between I and J streets, coming up Tenth street towards my house. I could not tell their names; have not got them on my books; do not know where they live. The wagons were stored by a gentleman named Lyons, who also had some hay stored there. He is doing business at the corner of Eighth and K streets; has a large yard there—a teamsters' yard. I don't think I noticed the keys on Monday; don't think my man was at the stable at all on Monday; think some time between eight and nine o'clock he went out four or five miles with a wagon. The padlocks on the doors were large sized, with complicated keys difficult to duplicate; they were supposed to be very secure. I did not go myself to see whether the door on L street was locked. I do not think any water was played on the stable at all; I was told it was hard to find water. If water could have been procured readily within a few minutes after I got there, I think they could have suppressed the fire. When I was going to the fire, Number Six Company was getting the engine and hose out. I do not belong to any fire company, and am not positive whether my son does or not; one of my boys runs with one of them; he has a scar on his cheek; he assisted me in getting hay out. I had a barn burned three years ago which I had rented immediately back of Number Six's Engine House. I never had any insurance policies cancelled before they expired; always had my buildings insured; Mr. Sweetser is the Agent with whom I insure now; do not know the company; English insured for me previously; lost forty or fifty dollars a few months ago by the failure of an insurance company.

TESTIMONY OF FRANK MALONE.

Frank Malone was sworn, and testified as follows:

General Kibbe came to me on Saturday, and inquired about a place to store cannon. I had a place, which I had showed him, in my carriage house on Fourth street, between I and J. I did not make any arrangement with him. The principal objection was that I had not room enough, and then, though the building is of brick, the doors are wood. I went around and looked at the cannon and caissons, and found that my whole carriage house would not be sufficient. The General asked if I knew of any place. After he went away, Colonel Cahoon told me he had directed him up to the brick storehouse on L street. The General afterwards came back, and I told him also that I thought that was a good, safe place—a good storehouse, and plenty of room.

To General Kibbe.—I considered that a fire-proof building, and would put hay or any property of bulk into it. I had not been into the store, however, for some time, but it had iron shutters or doors outside, and thick brick walls, and I supposed if it was not quite fire-proof, it was very near it. I never examined it at all, but judged it was a fire-proof building.

TESTIMONY OF WILLIAM SIDDONS.

William Siddons, being sworn, testified as follows :

From ten days to two weeks ago, General Kibbe inquired of me where my gun was stored, and I told him it was around on I street, over Miller's Stables. Since then, I think before these guns came up, he asked me the size of the doors, and I told him they were seven feet doors. That is Cahoon's place. The cannon I have is not my own, but the citizens', and I store it there. It has had no protection, except that I would go around every day, and sometimes two or three times, to look at it, and a man sleeping in the next room; but since this affair, I have put one of my gun's crew to sleep alongside of it, besides the stable men, who sleep in the adjoining room. Before I rented the room, it extended some fifty-five or sixty feet, but there has been a partition put across separating me from the balance of the building. There is a fire-plug on the corner of Fourth and I streets, and Neptune Hose Company is right opposite.

To General Kibbe.—The size of my room now is twenty to twenty-five feet deep. The eastern room there is about fifty or sixty feet; there is some hay in it now. In my judgment, the two rooms would hold all the guns and caissons. I do not think there is a fire-proof building in town. This building has no iron shutters—it has sash doors, wooden partitions each side, and a wooden floor. Should think the railroad track was about ten feet from the sidewalk, and a fourteen feet sidewalk. Could not get out a gun and caisson, with pole extended, without running on to the track, unless a man turned very quick after getting on the sidewalk. My gun is iron, costing eight hundred and thirty-four dollars and seventy-five cents as she stands; she is a twelve-pounder, and has some extra work.

TESTIMONY OF JOHN SCHADE.

John Schade, being sworn, testified as follows :

I am the State Armorer, and have been since eighteen hundred and fifty-four. On Saturday morning, shortly before seven o'clock, a drayman came to my house with some boxes, and told me there were seven cannon at the levee. I was astonished. Got on the dray to ride down to the levee. Passed Miller's Stables, and measured the doors. At Second street, met General Kibbe, and told him of the cannon. He did not seem to know anything about it; told me to go and see what had arrived. Found twenty-eight half wagons, with seven extra wheels; told General Kibbe there was not room enough in the Armory to put the heavy boxes. Told him of the building on Fourth and I. He asked if there were iron doors; told him they were not; he said then they would not do. He suggested Frank Malone's; went there, and found there was not room enough. Went with General Kibbe to Cahoon's stable. General Kibbe wanted the stalls where the horses were kept below, stating that one cannon, with its caisson, would go in each stall, leaving the seven stalls opposite for horses. Cahoon's foreman objected, that they might want all their stalls. Cahoon recommended the building on I street, between Twelfth and Thirteenth; said it was fire-proof, and

as safe as his stable. Found Robertson, the owner, at the corner of Tenth and I streets. Robertson was not in. Kibbe went in his buggy down to the Governor's. Went to Robertson's house, and found him at dinner; told him General Kibbe wanted to see him. Had boarded in the same house with Robertson in eighteen hundred and fifty-five, but never had dealings or acquaintance with him afterwards. Kibbe and Robertson made a bargain. Went to work and hired more draymen, and got all the cannon stored there before night. Examined seven or eight of the ammunition boxes on the levee, and more after they were stored—about a dozen in all; found no powder; did not examine every one. Examined the guns, and found one was not in good order; reported it to General Kibbe's Clerk, on Monday morning; there was a very big flaw about six inches from the muzzle, a piece being gone that would weigh from a quarter to half a pound. There was hay on one side of the barn; they moved it close to the other side, forty or forty-five feet from the guns. A little hay was scattered on the floor, but no more than could be taken up with a scraper [rake]. Could not judge of the hay, but supposed there were twenty-five or thirty tons in the barn; rolled about twelve bales away from the side where the guns were placed. The door was locked with a padlock, and an iron bolt in front; that was the door we put the cannon in; the other door opened on the inside, with a bolt. The man that came in went and opened the door on the north side, and then went and opened the door on the south side, with a bolt on the inside. There was no padlock on that door. When he went out he fastened that door on the inside the same way. Did not notice any padlock on the outside of the L street door; don't think there was one, because he opened and shut it from the inside. Was not up there on Monday. Helped put the guns in—am positive they were forty feet from the nearest hay. There were two tiers of guns, and room to drive two teams between them and the hay. I know the lower part of Agricultural Hall; suppose it would have been large enough for all the guns; do not think it would have been any safer place; think the doors would open wide enough; doubt whether the floor would hold the guns. I considered this a plumb fire-proof building; was told it had a tin roof; there was no floor; the wheels sunk in the sand, so that we could hardly move them into place; they said the flood had brought in three feet of sand; in the centre was a small place floored, as if where they weighed the hay. Was on the street at the time of the fire; met General Kibbe corner of Second and K streets; told him I was afraid the fire was where the guns were. He said no, it could not be higher up than Tenth street. Afterwards, learned where the fire was; went in search of General Kibbe; found him at his house, about going to bed; went with him to the fire, and found the guns all nearly burned down. When Kibbe and Robertson met on Saturday they did not seem to be acquainted; I introduced them. I did not know Robertson's political sentiments, but after the fire I heard he was a Secessionist. Have not the least idea in the world how the fire originated.

TESTIMONY OF RICHARD RICHARDS.

Richard Richards, being sworn, testified as follows :

I work for Mr. E. L. Robertson ; have charge of the keys of the store house or barn ; as a general thing they are in the storeroom ; I went there oftener than anybody else ; was not there on the Monday before the fire ; was up the American River on that day after a load of wood ; don't know whether anybody went to the barn on that day or not ; the last time I was at the barn before the fire was on Saturday, putting the cannon in ; the keys are usually kept in the store, behind the door as you go into the office, at the corner of Tenth and I streets. The boys and I were in the habit of having the keys, and sometimes the old man ; the boys are Robert and Edward ; Edward was with me over the American River ; Robert is the one with a scar on his face ; I was at the fire with the rest of the folks ; I was in the bedroom when the boys halloed fire on Eleventh street ; went out on the piazza, and saw a heavy black smoke rising up in the direction of the barn, but I thought not so far ; Number Six engine was going a little ahead of me ; passed her on J street between Tenth and Eleventh ; the oldest of Robertson's boys got there alongside of me ; he took the keys and opened the doors ; there was a heavy cloud of smoke coming out, but no fire ; we both went around the other side and were trying to open the doors ; he had the keys ; directly the smoke came through the door and made us go away.

Q.—How is the door on the L street side opened ?

A.—That was a barred lock, like the other, but the bolt was not long enough, and if we shoved up the bar it would come out, and we tied it inside on that account.

Q.—A bar on the outside ?

A.—Yes, and a lock on it.

Q.—But the bar was too short ?

A.—Yes ; by shoving on it it would slip out of the hole.

Q.—And it was tied on the inside ?

A.—Yes ; we drove in two nails on each door, and tied a rope or a wire around the nails, and then they could not open it.

Q.—Not without pushing hard ?

A.—Not without breaking that rope.

Q.—Was that fastened on the inside at that time ?

A.—Well, I fastened it on Saturday, I know, because I always do.

Q.—You say he tried to open it ; could not he unlock it ?

A.—He was trying, but the smoke came in a rush through and drove him away, leaving the lock on the door ; that door could not be opened without breaking the rope ; it was not opened during the fire ; it was burned down. I heard no explosion while there ; there was no fire when I got there ; it was all black smoke ; it did not blaze for ten minutes or more after I got there ; there was nobody trying to get out the carriages or anything when I got to the barn ; when we left the door the smoke rushed out, but afterwards they say it cleared away from that door so that they might have got the cannons out. Heard nothing said of any explosion before I got there ; did not understand there was any powder there ; heard somebody say there was powder there and I told them there was none ; that was when I was on L street. We could

have got out the carriages when we first got there, if we had staid till the smoke cleared away, and opened the door; it must have been ten minutes after that that the blaze broke out. Have heard Mr. Robertson talk about the war; he takes sides with the South, of course; that is his opinion; he is pretty strong in his prejudices; he doesn't make any fuss in regard to Union victories; does not show it in that way; when the other side wins he rejoices a little, of course, as is natural for him to do, I suppose; everybody knows his politics—that is clear enough. There were four wagons stored in the building; I put them in there; don't know the name of the man they belong to; know the teamsters by sight; one came there the Sunday before the fire and said he wanted to go to the barn and see if the rats were eating his harness; there were two of them went out there on Sunday morning; I do not know their names nor where they live; think they went over to Yolo and took their animals for the winter; do not know whether they are in town; have not seen them since; think I handed them the keys on Sunday morning; there had been more wagons, but they were taken away some time ago, and only four were left. The old man said nothing to me about letting any one have the keys; the boys could take the keys whenever they wanted to; one of the boys had the keys the night of the fire.

Q.—The door fronting toward L street did not need a key?

A.—No; because they could open that on the inside.

Q.—And you could shove it open on the outside?

A.—Yes; just the same.

Q.—But you fastened it on Saturday?

A.—Yes.

Q.—How?

A.—With a rope.

Q.—What sort of rope?

A.—Well, a hay rope, tied round the nails a half a dozen times.

Q.—A couple of nails in each door?

A.—Yes, Sir?

Q.—Could not the doors still be opened?

A.—Not without breaking the rope.

Q.—Would not an ordinary man be able to open it?

A.—No; I could not.

Q.—Would not a strong push on the doors make a crack so that you could get a knife through and cut the rope?

A.—I don't know.

Q.—Who were in the habit of going to the barn besides the old man, the boys, yourself, and the teamsters?

A.—I cannot think of anybody else.

Q.—Was there anybody who helped to put in or take out hay accustomed to tying that rope around the nails?

A.—Nobody but the boys and me—that is, as far as the time when I was there. I have been there two years and a half—since before he got that barn. On the night of the fire I heard several say there was powder there; I don't know any of them; heard Robertson say there was no powder there.

—

W. S. Montgomery (member of the Senate) was sworn and examined, but his testimony was not material to the investigation.

FIFTH SESSION.

SATURDAY, March 19th, 1864.

The committee met at nine o'clock and thirty minutes A. M. Present—Messrs. Hunt, Benton, and Scott.

TESTIMONY OF JOSHUA BAKER.

Joshua Baker was called, and sworn by Mr. Hunt. He deposed as follows :

I keep my hay in the barn at the corner of Thirteenth and L streets ; live at Twelfth and I ; was at the fire on the night of the fourteenth. I had got my clothes off, ready to go to bed, except my drawers, and my wife hallooed, "There is a fire." I went out and looked, and saw the smoke was coming the other way ; then I jumped up and went out of the house, to see where it was. Went up on J street, and saw a whole lot of folks going back. I asked them if there was a fire, and they said no. Then I turned back toward M, and somebody hallooed that there was a big barn on fire. Then I rushed back. When I got there, there were about fifty men on this side of the building—on the L street side. Well, then I was going to run through, and somebody hallooed out "powder!" that the Government had powder there, and it scared me, so that I ran back the other way, round the building. As I got back around, there were from thirty to fifty men standing in the street, and one hallooed, "Baker, there is powder there!" Says I, "If there is powder there, it ought to go off before now." Then I tried the door, to see, but could not open it ; went down to where a man had gone for some axes. Another man told me, "Your man has gone home," and I ran back to the building to see. He had not got back, and I told the boys I would burst open the door. That was the door to where I had my hay. The building is built like an L, and my building had a wall between them. I could look through and see the roof of my building afire. I had been round to the company, where they got water, and the company was quarrelling, and thinks I, "I can't save my building."

Q.—You call it "my building;" are you the owner?

A.—I rent it by the year. It was the main building, fronting on L street, with the big wrought iron doors ; I just occupied that piece of the building ; I have occupied it for three years. When I got to the door I went into the next house for a candle, and got a piece ; the door where the guns were stored was not open when I got there ; neither of them. I came into the alley first, and almost to the door before somebody hallooed, and then I went around the other way until I saw some folks, and I saw the other door went open.

Q.—Was this halloo of powder before the door was opened?

A.—I could not tell at all ; it was amongst this crowd of men. Did not see Mr. Robertson there. I was not around in the alley after the door was opened ; I was not around there again at all ; it was the first time that I ran there ; I had thirty-six tons of hay there, and some stored for another man. I was insured ; I insure every year ; I was insured fifteen hundred dollars this year ; last year more, because I had

more in. I never noticed what kind of fastenings there were on the door of the building where the guns were stored; I never noticed at all. I never had been in the building except two or three times, but the doors were open and I never noticed; but I saw that the doors were wood, put over with sheet iron. I saw that the door opening on the vacant lot was not open, but afterwards did not go that way again. Could not tell the name of any of those men who said there was powder in there, because all I heard was the word powder, and I was where fifty or one hundred people stood. Did not see Mr. Robertson's boys there, nor his hired man. I know his hired man.

Q.—Did you hear any explosion?

A.—Well, I will tell you. After I was there, I should think ten minutes, I did; but I accounted it for the smoke. The smoke filled the building, and I thought it raised up the roof; then this last time it caught fire on the top of the building and burnt a blaze.

Q.—Well, was there any shake that you could feel?

A.—Oh, no! All I heard was a kind of whiz; the fire broke out of the roof, or, I should call it more smoke; I never stayed in the alley; I was going to run around the building when somebody halloood, "The Government has got cannon powder in there," and that scared me so that I ran around towards Twelfth street, to my place. Did not see anybody by the door in the alley that I knew except Mr. Walters. I saw him, but he never halloood. Mr. Walters keeps a stable at Twelfth and I streets; I do not think he is a fireman; do not know; he is a teamster. I have been in the habit all the while of storing in the building, now four years; I hired it every year. My roof had shakes on it; that was the reason I insured. The building that had the cannon in it had tar and pitch on the top, but I see they have buildings down town that they call fire-proof that were the same. There was no tin on the roof that I know of. Do not know what you call a fire-proof building; if a safe was fire-proof I should not know what to answer. I have insured my property every year, and I had to pay a bigger per cent—I paid four or five cents, while if it had been a tin roof I would not have had to pay but two. Do not know whether Mr. Robertson, who stored in the other building, paid any additional per centage; I do not know that he had his insured. They charge more for insuring hay than other things. On my furniture, etc., I pay two cents, and I have to pay from three to five cents on hay. Could not tell anybody's name that I knew, except Mr. Walter; could not tell who halloood powder, or anything about it; I was so excited when I heard of the fire that I could hardly tell.

TESTIMONY OF ROBERT ROBERTSON.

Robert Robertson was called and sworn. He deposed:

I was up to Boise's saloon, corner of Eighth and J, playing a game of billiards, on Monday night, when I heard the alarm of the fire; went immediately to the barn. As I came out of the saloon I saw a large smoke rising in the direction of the barn. I started up that way. Did not suspect that the barn was on fire, but followed on after the smoke, and got there. There were not many people there when I arrived; I suppose about fifty or sixty standing around—some up on the roof of the house. One or two men were up there that had climbed up the side. I did not

go up on the building. I went towards the fire from J to L, from Twelfth street. Did not have the keys to the building. The door was fastened when I got there. The man that keeps the keys, or had them, was trying to unlock it, and I ran up to the door. That was a man working for my father. We unlocked the door and took the lock out. I saw the smoke, and had it shut again, because I knew that if the air got in it would make it worse. I shut the door and told those standing there to hold it, and then ran around to see if the other door was shut. It was shut, and some men were standing there holding it. It was shut, and they were trying to keep other men away.

Q.—Well, was the other door locked?

A.—I believe it was.

Q.—Did you try to open it?

A.—No; I looked in. I could see the door was on fire. I was going to open it and see if there was any chance to get in and get anything out. I saw the smoke was rushing out the cracks. The door on the L street side is fastened something like the other; about the same. There is a bar running through some spikes, finished on the inside. It is not very tight and solid. I should think it could be forced open very easy. The cracks are smaller than the other, and not quite so long. Some not more than that long, [indicating the size,] I guess. Inside of the door there were two spikes driven in, and we had a rope to wrap around the bolt. I thought I would open that door, and tried to, but the men told me not to open it. I wanted to see if there was any chance to get in. They said they knew if I would open it the air would rush in and make the fire burst right out the roof. I was in the alley at the time that somebody hallooed "powder;" this was after I went around. I had been around in front, and then went back again into the alley.

Q.—How long was it before you first unlocked the door when you heard the cry of powder?

A.—Fifteen or twenty minutes. When I first unlocked the door in the alley there was no one trying to get in. The smoke rushed right out, and they could not possibly get in. When I went around the second time into the alley from the other side of the building, it was about fifteen minutes before they cried "powder," and before there was any stampede.

Q.—Well, you heard somebody say there was powder?

A.—Yes; I believe it was the Foreman of Number Two, or the Chief Engineer; I do not know which. He said there were cannons in there, and he did not know but there was powder.

Q.—Was he the first one you heard say anything about powder?

A.—I believe it was. Schmeiser is Chief Engineer, I believe. Do not know who is Foreman of Number Two. Do not know Stephens. Do not know Stanwich?

Q.—Were you at the barn on Monday, the day before the fire?

A.—I believe not. I do not think I was.

Q.—Are you pretty certain?

A.—Yes, Sir; I was at my father's store most of the day.

Q.—Where do you keep the keys?

A.—In the store—generally hanging on a nail.

Q.—Were they there on Monday afternoon?

A.—Yes, Sir.

Q.—What time?

A.—I did not notice particularly, but I think they were.

Q.—Who had the principal charge of that barn; who went there oftenest, and had charge of the keys mostly?

A.—Well, the hired man that works for us, Mr. Richards.

Q.—How much hay was there in that barn?

A.—I suppose there was about forty or fifty tons, altogether. It belonged to my father, some of it, and some to Cahoon, and the rest to Cap. Lyons; all adjoining in the same room. It was not all insured; I believe my father's was. I suppose he had six or eight tons altogether; do not know how much insurance he had. Do not know who owned the wagon that was stored there. Do not know the teamsters that went to see the building on Sunday morning, nor who got the keys—nothing about it. When I went to open the door across the vacant lot the door was fastened, I believe, as we usually kept it.

Q.—Had it not apparently been opened?

A.—No.

Q.—Do you know any of the men that were standing there when you went to try it?

A.—There was a boy there, fifteen or sixteen years old, Johnny Francee, or Francis; he lives at the corner of Sixteenth street, I believe. His father used to keep a milk dairy.

Q.—Did your father give you any keys and tell you to go around the vacant lot to see if you could open the door, and to unlock it?

A.—No, Sir.

Mr. Hunt.—Do you recollect seeing me at the fire. Didn't you speak to me in the alley there?

A.—No, Sir.

Q.—Do you recollect where our engine was stationed?

A.—Yes, Sir; at the end of the alley.

Q.—Don't you recollect speaking to me just as I came out of the door of the building that opens on the L?

A.—No, Sir.

Q.—Didn't you tell me that "this was damned pretty business?"

A.—No, Sir; I am sure.

Q.—You are confident you do not know any of those teamsters?

A.—Yes, Sir; I believe I know one of them by sight, not by name—that is, I do not know whether it was him. I know another man that went up there one day. I do not know whether he owned the wagon or not. Saw Mr. Richards at the fire. I believe I was the first of our family that got there, and I found Mr. Richards there trying to open the door. I turned around and tried to unlock the door. I hung the lock on the fence.

TESTIMONY OF EDWARD ROBERTSON.

Edward Robertson, having been called and sworn, deposed:

I was at home when the fire broke out; I ran to the engine house, right next door—Number Six's—opened the door and rang the bell. I took hold of the tongue of the engine, and ran up J street to Twelfth, and on across Twelfth to K, and started over and backed the engine. Some one said there was no fire; then we saw the smoke, and started on again. When I got to the barn, they had the back door open. My father was standing there, and somebody else was trying to get in. Some one halloed, "Shut the door!" and they shut the door. Number

Two was standing right there. Some one said there was powder in there, and the Foreman made us back the engine out of the alley.

Q.—Who said there was powder there?

A.—I believe it was the Foreman of Number Two. Some one asked him if there was powder there, and he said he did not think there was. The Foreman of Number Two, or the man that acted as Foreman, turned back the engine, and said he did not want any of his men to risk their lives there, and they backed the engine out. My father told him he did not think there was any powder there; but they would not believe it. I stayed in the alley, and went around to the L street side after a few minutes. When I got there, the L street door was open, but they shut it soon after I got there, and it stayed shut until it burned down. Do not know who opened the door. The fastening of the L street door was a padlock, with a kind of iron crank, not more than six or eight inches long, going in and slipping back when you unlocked it. It held it solid, but you could pull it out at the bottom an inch or two. We used to throw the keys in there when we unlocked it. I was not at the barn on Monday; I was away on Monday, and got home about six o'clock. I was at home the last two or three days before the fire. I was there hauling hay, five loads for Mr. Knox on the levee; we hauled out fifty bales that day—either Friday or Saturday—the day before the cannon came in. I should judge there were about thirty tons of hay there, mostly stored. Cahoon had some, and Cap. Lyon some.

Q.—How much hay of your father's do you think there was in there?

A.—I do not know. When he hauled out of there, there was some fifty bales on the side where the cannon were left. I do not know what they did with it when they put the cannon in. Cahoon had about nine tons. Lyon's and ours was piled together, so that I do not know how much he had. I never noticed particularly. There was some there that was cut down by the rats.

Q.—Where did you say you were on Monday?

A.—Monday I was out gunning. I was at home on Sunday.

Q.—Were you there when the teamsters went over to the barn on Sunday morning?

A.—No, sir; do not know that any went to the barn on Sunday. My father went to the ranch on Sunday morning, and I had to hitch up the teams; then I went away to the Georgiana Slough road, and came back about three o'clock—the time we had dinner.

Q.—Did your father give you the keys, and tell you to go around on the L street side of the building, to the door that opened on the vacant lot, and tell you to unlock it?

A.—No, Sir. I never had the key on the night of the fire. He never spoke a word to me on that night. I work there once in a while; we have got a ranch, and I go to work there when there is anything to do. I have no idea how the fire originated. They could set a match in at the L street door, because there was loose hay in there, from rolling out and running around. They could push the door and open it from the inside, but not from the outside. There was a crack, but it kind of bulged out at the top; at the bottom there was no crack; at the middle it was pretty solid. You could not slip the bolt back from the outside, or pull the top of the door out. The door swung out toward L street. You could not pull it out unless you had a key. It was a short bolt, but it had a catch of about four inches, so that it could not swing out. I believe they fastened it inside, too, with a rope or wire. The last time I fastened it was a week before, and I fastened it with wire. There

were two big spikes to wrap it around, and hold it tighter. It would be fastened without that, but we did that to secure it in case anybody would tamper on the outside. A padlock would have been very easily tampered with. I was not in the barn after the cannon were put there. I was at the store when General Kibbe and the other man came there. My father was off collecting. I told them to call at twelve, and my father would be there. The hay might have been removed when the cannon were put there, because I was not there. They were put in on Saturday, I think. The last time I was in, there was hay all along the east wall—about thirty bales. At the fire there was smoke all over; I could not see any light. There was smoke coming out of the back door and through the roof. My father had the back door open when I got there, and there were two or three gentlemen there besides; I did not notice who they were.

TESTIMONY OF — WALTERS.

Mr. Walters was sworn, and testified as follows:

I was on J street, in the Fountain House Saloon, when I heard the alarm of fire, and ran out and saw the smoke that rose from it. I reside at the corner of Thirteenth and M; I am keeping a stable at the corner of Twelfth and K. When I saw the smoke I thought it was at the barn, and I ran as hard as I could in that direction. When I got over I saw it was not there, but that it was in range with my residence, and I continued to run on until I got over, and could see where it was. I then went up the alley, back of the barn, and was there some four or five minutes, when I heard the engine coming, and I went back and helped run it into the lot across the alley, opposite to the barn, and then we backed out and run into the alley—right in the alley at the barn, where there is a door opening on the alley. This was Number Two, I should think; I did not look, but I know some of the men that run with Number Two. It stopped right at the door, and the hose carrier ran on and attached the pipe at the nut, corner of Thirteenth and J, to the plug. Well, it ran back and laid the hose, and we were screwing the pipes on to the engine, when Robertson walked up the alley, and says he, "Boys, there is cannon in that house—stored in there," says he, "and I do not know but there is powder in there."

Q.—Mr. Robertson said that?

A.—Yes, Sir. At that, we dropped the hose, and backed the engine out, and ran out on Thirteenth street.

Q.—Are you acquainted with Mr. Robertson?

A.—O, yes, Sir; I have known him well this last eight years.

Q.—You are sure he was the man, and he said there were cannon in there, and he did not know but there was powder?

A.—Yes, Sir; that was the remark he made. The door was not open when I got there; I do not know who opened it. I think it was not open when I made that remark; I am pretty confident it was not. They run the engine out; says I, "Boys, I don't believe a word of it; if there is powder in there it would have blown up before now." "Then," says Robertson, "go around and throw water in the other part of the building; there is a lot of hay in there that you can save." Well, there were men on the roof at that time, tearing the shingles off that part of the building that the cannon was in. I believe they call it a tarpaulin roof;

it was covered with lumber, then canvased, pitched, and covered with light sand; the other part of the L of the building was covered with shakes, and there were men up there throwing shakes. Just as soon as he told that, it just went like wildfire; everybody run, and those men that were on the roof jumped off and left. There was nothing done then for as much as half an hour, and by that time the fire had got over, so that they could not save the other part of the building. I then turned round and helped to roll hay at the L street part of the building.

Q.—Did you hear Robertson tell anybody connected with the engine—the Foreman, or anybody else—that he did not believe there was any powder in there?

A.—I did not hear him make that remark.

Q.—Did you notice anybody else there that would have been apt to hear the remark that there might be powder there?

A.—O, yes, Sir; there was Jim Munday; because I know that he had hold of the tongue when we run the engine out. He lives on Thirteenth street—I forget what house—with his father, and his father moved the last two or three weeks; it is somewhere not far from the Phoenix Mill. The last time I saw him was day before yesterday, and I think he told me he was going into the country. I do not believe there was anybody else there that I recollect or knew. I know Robertson's hired man, Richards, by sight, but am not personally acquainted with him; do not recollect seeing him there. I noticed Jim Munday, because I am well acquainted with him; did not notice any other engine boys. Jim Munday had hold of the hose carrier, and of the tongue of the engine when it was backed out.

Q.—If that remark had not been made by Robertson, would they have saved any of the guns?

A.—Well, I could not say. I could not tell where the fire was inside; but I am satisfied they would have had water there right within a few minutes but for that. The engine was set so that if they had opened the door they could have thrown the hose right in. There were some ten or a dozen of us around the engine, but I did not recognize any other one, because it was all an uproar, you know. Mr. Robertson I have known for years, and his coming up and making that remark made me notice him particularly. I was there fifteen or twenty minutes before he came. I do not think that door was open when he came; the other door might have been. They say the other door was open, and his boy came up before he did.

Q.—You made a stampede with the rest?

A.—No, Sir, I did not. I did not believe there was any powder in there, and I remarked at the time, "I believe it is a lie." I believed, if there was powder there, it would have blown up before now. Still, I did not belong to the fire company, and had not a word to say.

Q.—How many persons were standing by at the time that declaration was made by Robertson?

A.—I should say there were ten or a dozen.

Q.—What distance?

A.—I should suppose about three paces from him. I was standing, unconcerned at the time, looking at them attaching the hose, when he stepped up; I was about six feet from the front of the engine when attaching the pipe to throw water, and Robertson came up to within

roof—and this has one of those tarred roofs; but it is termed fire-proof.

Q.—Considered so?

A.—Yes, Sir. I know I have on my building the same kind of roof. It is tar, with sand on the top, so that sparks would go out before the roof would take fire.

Q.—If you had been storing a battery there you would have been apt to look at it, would you not?

A.—I certainly think I would.

Q.—If you were going to secure property from fire, which place would you have preferred, Agricultural Hall or this building?

A.—I should certainly have chosen this building.

Q.—You mean so far as the buildings themselves are concerned?

A.—No; I would consider that it would be a good deal safer, because there are not one quarter the openings in this building.

Q.—But suppose there was a guard of Watchmen in Agricultural Hall?

A.—I do not think it would be near secure then, because there are windows, and it would require a good guard.

Mr. Benton offered the following resolution, which was unanimously adopted:

Resolved, That any two members of the committee constitute a special committee to take testimony.

The committee then adjourned.

SIXTH SESSION.

SATURDAY EVENING, March 19th, 1864.

The committee met at seven o'clock and thirty minutes P. M.

Mr. Smith of Butte was chosen Chairman pro tem, in the absence of Mr. Hunt, the Chairman.

TESTIMONY OF GEORGE BRIER.

George Brier, being duly affirmed, testified as follows:

I reside on the lot adjoining the building which was burned. I was present a very few minutes after the fire started; the first indication was as if camphene had been burned on the roof. There are two parts to the roof, and that over the part where the cannon were was made for a fire-proof roof. When I saw the fire first, it ran up the roof as quick as a flash, and then went out. The roof was covered with cloth and tar and sand, something like that. I helped to do the wood work of the building, and was there when the roof was put on. I was on Twelfth street when the fire began, or one of the middle lots between Twelfth and Thirteenth, and ran immediately from my house to the building adjoining, and remained there. I did not see anybody there till a minute afterwards, when I saw a man at the door who called for a pail; did not

know who it was. Others came very soon. I recognized none of them except Skeiton, one of the witnesses here to-night. I did not go to the building, because I was preparing to save my own house, which was very near the fire. Just at dusk, as I was passing the building I noticed a slight smell as if of camphene, but there was a light wind from the south, and I lost the scent, and thought no more of it. My wife a short time afterwards passed the building, and saw no light or anything wrong; but when she got home she went out to the pump, and saw a dim light in the building, which increased till it flashed out of the door. That was the south door nearest my house—there are two sets of south doors to the building. I was on my way home, and on Twelfth street, just alongside the light, just as it flashed all over the barn and all over the road, and had a strong smell of camphene. After the fire went down I was out on the hay that Mr. Baker had there, and he made a remark as I was sitting in the crowd; said he: "I went to Robertson on Sunday, and told him the boys said they were going to burn the barn to destroy the cannon, and told him I could not lose my hay. He said it wouldn't be burned. I told him I didn't care a damn for the cannon, for I did not know but they might yet kill a lot of us boys anyway, but I wanted to save my hay." There was one of his comrades by, and I was a little dull, I admit, or I might have learned more. I spoke up without thinking, and said I: "I wonder who started the alarm of powder;" said he: "I know"—but this man that was with him hushed him up, and they left, and I could not get anything more. I had not been into the barn for some time. The hay was on the opposite side of the barn from the cannon. There were some wagons burned at the end. The barn covers an eighty feet lot all except one corner. I have spoken to Robertson—not since the fire. The front of the barn is on L street, and those were the doors that were opened by the explosion when the light flashed out; they are the south doors; the cannon were stored on that side. My wife was watching the light when it first appeared dimly. She saw the doors open and close, but saw no person there. I was there about one of the first. After the flash went down, all the fire was inside. The flash ran up on the roof, all over it, and then went out, leaving only a great smoke. I remained at my building to keep things secure. They were hallooing powder, and everybody ran away from the building. The fire first broke out with a puff, and the blaze ran over the roof like camphene, and then died out, so that there was no more fire to be seen. I worked on the carpenter work of the building, and am acquainted with it. It was intended for a fire-proof building, and would have been if it had been finished; did not consider it fire-proof in the condition it was. The part where the cannon were was connected with the front part, which was covered with shakes. The part where the cannon were was as near fire-proof as is usual. There was a brick partition between the two parts, but the trouble was that the shakes ran over to the brick wall. The Baker I mentioned is Joshua Baker, who lives or does business, I think, at the corner of Twelfth and I streets; politically, I think he is a disunion man—last fall he was very rabid that way. You may take it for granted that I am a Union man; I always supposed I was. The cry of powder was all around in the crowd. If I had played off secesh in that crowd I think I might have learned the secret of who set the fire, perhaps, that night; I acknowledge I was not as smart as I ought to have been. I think the barn would have been saved but for the cry of powder, but that made our best citizens run.

TESTIMONY OF CHARLES L. KNOWLES.

Charles L. Knowles, being duly sworn, testified as follows :

I reside on the south side of J street, between Seventh and Eighth. Was present at the fire on Monday night, at the corner of L and Thirteenth streets; got there between seven and eight, or may be ten minutes after the first alarm. Do not belong to any engine company, but went up with one; saw the smoke rising over the building as we came up; we ran up into the alley way with the engine, and were getting the hose attached to the engine, when Mr. Robertson, who keeps the hay store corner of Tenth and I streets, hallooed out that there was powder there, and we had better not have the engine so close. There were as many as twenty people in the alley when he made that remark, and probably as many as six or eight must have heard it; I was standing right alongside of Robertson at the time; heard no alarm of powder before that; Robertson seemed excited; he seemed to manifest an interest in those standing around, for fear they might be blown up; I then asked him if he knew there was powder there; said I, "How do you know there is powder there—because it is against the ordinance, and you have no business to have it in the building?" Said he, "I don't know it of my own knowledge; I do not think General Kibbe would allow powder to go in there without telling me of it, and I do not know that it is there." The boys around the engine then brought it back down to the corner of the alley and Thirteenth street. At the time I got there the doors were not open; I opened one a little, to look in and see the condition of things; I do not know whether it had been opened before or not; when I looked in, there appeared to be on the right side some fifty or seventy-five bales of hay, within about thirty feet from the cannon, and the fire was underneath the cannon, and spread all over; I could not judge, from the appearance of things, where the fire was located, but the fire was blazing up underneath the cannon; it appeared to be hay and the wood work burning all along—thoroughly on fire. Mr. Robertson made no effort to save the property; he hallooed to some one to keep the doors shut, which I seconded, for the reason that I did not want to give vent to the fire till we could get water on it; I also gave instructions not to play on the cannon after the wood work was burned; at the time I got there, I think it was too late to save the cannon; there was not much of a crowd then; there might have been a good many on the other side, where they were busy getting out the hay. I had no conversation with Mr. Robertson, only that I talked to him a little at the time he said there was powder there; he made no remark about the cannon, or about their being Government property; have not seen him since to speak to him; am not personally acquainted with him. I should judge there were about from fifty to seventy-five bales of the hay; I spoke to a man on the ground, after the building had fallen in, who said Robertson had been moving out his hay for the last three or four days, and had had considerable in there; he spoke of another man having hay in the adjoining building, which was burned, but said that they got all the hay out of it. That is all I know, except that I have since heard plenty of talk about Robertson's being a Secessionist. At the time Robertson spoke about the powder, he hallooed out, and said, "Don't come so close here, there is powder in the building." I immediately said, "Do you know there is powder here? It is against the city ordinance." Said he, "I do not

know, and I do not think General Kibbe would allow the cannon to be stored here without telling me if there was powder with them; but," said he, "you had better move the engine away, for fear there might be." That was immediately after we arrived on the ground with the engine, and ran it up in front of the doors on the alley; it was Engine Number Two. There were several around who might have heard the same thing; Mr. Schaffer, a German, who works in Schmeizer's machine shop, might have heard the remarks.

Q.—You asked him if he knew there was powder, and he answered that he did not believe there was?

A.—He did not say he didn't believe there was, but that he did not believe General Kibbe would put powder there without telling him of it. He was the first one to speak; as soon as we ran up with the engine he ran out towards us, and said there was powder; he was standing in front of the doorway, in front of the building, and came immediately up to the men who had hold of the engine, I among the number.

TESTIMONY OF JOSHUA BAKER.

Joshua Baker, recalled and resworn, testified as follows:

I reside between I and H, on Twelfth street; was at the fire on Monday night, I should think about ten minutes after the first bell rang; could see nothing then but smoke coming through the roof and under the doors; the doors were closed. I went first to the alley side; that door was closed; did not notice whether it was locked or not; do not know how they locked it. I went along about half way of the building. There was a lot of men standing forty or fifty feet off, and they hallooed, "Look out! There is powder there!" Had no particular conversation with any one; did not know till I got there what was stored in the building; had not been to the building for about eight weeks; had been sick in bed; only knew that they cried out there was powder there; could not tell who raised the cry. I ran by the crowd, and concluded to go around the building that way, but when they hallooed "powder!" I ran back the other way, and got around to my side of the building; there was a lot of men on Thirteenth street who hallooed to me, and I went and stood back a while. I started after the keys to my side, but when I got almost as far as the drug store, some one told me my man had gone up with the key, and I went back. When I got back, the building had not yet fallen in. I told the boys to break in the doors, and we went at it and broke them in. That was the main building, on L street.

Q.—Since the fire, have you had any conversation with any party concerning the destruction of your hay?

A.—Well, the way it was, on Saturday I came down to the Post Office, and between Fourth and Fifth streets I heard somebody talking about some cannon as I was passing by. I could not hear what they said, but it was something about cannon, and I heard them say that would be the next building to go. That was before the fire; they were talking about some cannon, as I understood, but I was walking along, and did not stop to hear the conversation; they did not name the building, that I heard; there were four or five together; I could not describe them; did not notice them particularly; might have done so if I had not been

sick so long. As near as I can remember, the words were, "That will be the next building to go, in where the cannon is." I have been sick about eight weeks.

Q.—What made you go to Robertson on Sunday, and tell him the place was going to be burned down, and you wanted to save your hay?

A.—Nobody ever heard me say that; they must have made that story up on me. I never went to Robertson, either, on Sunday; I wasn't out of my house, not even across the way.

Q.—Didn't you go on Saturday?

A.—No, Sir.

Q.—Nor Monday?

A.—No, Sir; I did not see Robertson about the matter; you may go to Robertson, and if he says I did, I will give you a thousand dollars, or any other man. They might have made that up on me. I will stake my life I never knew the cannon were there till after I got in front of my door.

Q.—Did you say to any person after Saturday evening that you had heard anybody say that?

A.—No; because I did not think of it again till after the fire. I told Dr. Nixon and Mr. Harding the very words I swore to here, and they will say so. I had thirty-six tons of hay in all, and about two hundred dollars' worth of grain and flour; I was insured for fifteen hundred dollars, but that would not begin to cover it; have had my buildings insured every year for three years. I rented the building of Cox & Clark, and insured with Mr. English.

Q.—At the time these men made the remark, did you turn around and look at them?

A.—No, Sir.

Q.—Didn't it strike you as being singular?

A.—Well, the way it came to my mind was, after the building was burned I told Dr. Nixon that I had heard those words on the street—that this building was going to be burned. They did not speak of the locality; I knew it was that building by the cannon being in it. They only said, "That will be the next building, where the cannon is." It was spoken so loud that I could hear, and I am pretty deaf. It was between three and four o'clock in the afternoon. They stood on the street, and I was walking along by them. I mentioned it to Dr. Nixon and two or three others immediately after the fire. I could not judge then what building they referred to, because I did not know where the cannon was. I live three or four blocks from the building. I have had no communication with Mr. Robertson since a week ago last Saturday, when he was at my house after a little bill that was due him. I am, politically, a Democrat—always, and always will be—of the old stripe. I voted for Breckinridge once, but I would vote to hang him now. I was going to vote for Douglas, but I thought Breckinridge would be the strongest man to defeat Lincoln.

TESTIMONY OF GEORGE SCHMEIZER.

George Schmeizer (Chief Engineer) was sworn, and testified as follows:

I was present at the fire on Monday night; was attending a meeting

in the Supervisors' room when I heard the alarm ; went first to my shop and then up K street, but could not see anything, but shortly afterwards saw the smoke rising up again. Gave directions to ring the bell on Number Two's Engine House. Got as far as K and Eleventh streets, when I saw the fire burst out on the roof of the burning building ; heard no explosion. When I got there, I made it my business to keep the doors shut where the guns were stored, because I did not want to see the fire come out till we got the water on. After water was supplied I allowed them to open the doors, but directed them not to play on the cannon, for fear it would spoil them by suddenly chilling them. There were very few people right around the building ; they were off some distance. When I got there the whole building was on fire, and I could not judge as to how it originated. I know Robertson ; did not see him till the fire was nearly out. Did not converse with him about the fire ; have tried to see him since to ask the amount of damage, but could not find him. Heard no alarm of powder at the fire. My belief is, that the building was set on fire with camphene, because that will explode and scatter fire in all directions, while powder will not. The companies had to go four blocks off to get a supply of water, and all they could do was to save the surrounding buildings. When I arrived the doors were shut, but not locked. There were no people in the alley but myself. They did not come close up, because, I suppose, they were afraid the walls might fall. I opened the door myself. Engines Number Six and Number Two were at the fire when I got there, but without water. It was reported that the engines had run close to the building. I always was opposed to that ; but before I got there they had backed out again. I heard that Robertson had told them to back out, because there was powder in the building. The door I opened was on the alley. It was shut, but not locked. I had considerable trouble to keep it shut until water was supplied. I was afraid the fire would break out and spread to other buildings.

TESTIMONY OF JOHN NELSON.

John Nelson was sworn, and testified as follows :

I reside at the Telegraph House, between Twelfth and Thirteenth streets ; am a teamster ; was at the fire Monday night ; was in the saloon when the alarm was given. When I got there smoke was bulging out of a small place at the top of the building, and a gentleman, whose name I don't know, was up on there. I got up to see, but was afraid the whole roof was on fire, and got down on to a shed, where they commenced handing water up to me, and I handed it along to them on the roof. Pretty soon he sung out that the smoke was coming out so that he could not do anything, and he quit. I then went around to the north door. We stood there a minute or two, and some man opened the door. I am not able to say how he opened it ; I heard a knock, or rap, as if he was breaking it open. By this time there was a crowd of people, and some one sung out that there was powder in the house. Said he, "Look out, boys, there is powder there !" I did not see him when he spoke, but he was standing close to the north door that was open. There was

an engine then about thirty feet from the door, and the firemen trying to get the hose on. When he said "Look out, boys, there is powder!" every man left, and the engine left too. I was in Charley Kemp's saloon when I heard the cry of fire—the north corner of Twelfth street, at the Boston stable. When I went out, I immediately saw the smoke. It was said the fire was in the barn, back. Two men went to the fire with me; one was pumping water, while the other handed it to me. It looked to me like a hole in the roof, about the size of a man's hat, where the smoke was coming out. It was near the centre of the west side, on the main building. The arms are stored on the east side. It was all the same building. Was in the building two years ago, not later. Did not know what was in it. I know nothing whatever about the origin of the fire. I could see nothing on the roof but a black smoke coming out of the hole. I handed the water up from the shed to a gentleman, who said he poured it into the hole on the roof; I do not know him; George Beatty, at the Phœnix Mill, probably knows who he is. I have seen E. L. Robertson, but have no acquaintance with him; could not tell his voice.

TESTIMONY OF W. F. NEELY.

W. F. Neely was sworn, and testified as follows:

I reside at the Telegraph House; am a teamster. Was at the fire on Monday night; there was only about a half dozen persons there when I arrived; went to the door on the alley; somebody said it was all on fire inside; I put my ear to the door and run my hand in, and found no heat at all; that is the door where the cannon were. I wanted to break it open, as no one could open it; somebody said Robertson had the key; I found it could not be opened, and ran around on the other side. We got some buckets there; some one said, on the roof, that he could put out it out; I passed water up on the roof; should think as many as eight or ten buckets; then I went to work and got a wagon out, and rolled a lot of hay out of the front part, on to L street; worked as long as there was any in the yard. The door in the alley where I run my hand in does not shut tight; the air inside felt perfectly cool; put my face close to the cracks; there was a cool draft through. I think if the door had been opened at that time the guns might have been saved; it was not opened while I remained there. I saw the other door after it had burned down; do not know Robertson at all; heard nothing said about the origin of the fire; I think the fire was dropped into the roof of the building, because the smoke issued out of the top of the roof. When the first alarm was given the fire flashed all over the roof; seemed to be back of the house I was in; as I ran towards it the flash seemed to be coming out of the roof, but that died away. I suggested that a hole might be cut in the roof; think it was to the man who was passing water up there. It was about the time that I ran to the door that the alarm of powder was given; did not hear the voice myself; paid no attention to it, but went to getting out the hay. There were a great many service kegs, and as we got them out from underneath, the cry was that they were powder, and the men ran out; the kegs were all carried out. Do not know anything about the origin of the fire, and have no reason to suspect any one; do not think the fire was set under the cannon, because the air was not hot when I thrust

my hand in, and then there was the hole in the roof. I did not see the hole myself, but I saw the smoke coming out almost like a stove pipe, only more of it.

TESTIMONY OF PETER McGRAW.

Peter McGraw was sworn, and testified as follows :

I reside at the Telegraph House on J street, between Twelfth and Thirteenth; am a teamster. Was at the fire Monday night; heard the first alarm, and went as fast as I could across the lots; saw a flash at the first alarm, which died away before we got there; I thought, from the flash, that the fire had burst through the roof. I got up on the roof; there were two others there, I believe; could not tell who they were; think Nelson was one; there appeared to be a hole in the roof; could not see it for the smoke coming out, but should judge it to be two or three feet long—a good deal longer than the width; it was on the west side, about half way between the eaves and the top; should judge it was then seven or eight o'clock. Saw no engines or hose carts there, but noticed some coming; think I saw two in the alley after the doors were opened on that side; some firemen closed the doors, and one cart remained right above the door on the east side, and the other run past. I got up on the roof to see whether the fire was in the roof, or in the hay underneath; came to the conclusion that it was under the roof, and then got down. I did not know what was in the building; was in the building three weeks ago; there was then a lot of hay and some large freight wagons in it; have understood that three of the wagons belonged to a man named Mason, and one to John Huff. I heard a cry of powder; the person who gave that alarm was in the alley, or on the west side; heard considerable cry of powder; do not know who it was; when I first heard it I had just got down from the roof. I do not know who opened the doors; saw several trying. I do not know anything about how the fire originated, except stories or rumors since; I know Robertson, but not intimately; saw him in the alley-way directly after I got down off the building; appeared to be out of breath, as if he had been running; asked him where the key to the door was; think he said he did not have it; asked him about the amount of hay; said he had some fifty or sixty tons; he told me the building belonged to Clark & Cox. The roof appeared to be a board roof, covered with canvass, and painted or tarred—something like that. The hole appeared as if it might have been made by prying up one portion above the other; the smoke seemed to come out slanting. I was a little afraid the roof might give way, and got off it; had an idea that somebody had been there before me and cut through the roof to get at the fire; could not see the hole; could not tell certainly who were on the roof with me.

TESTIMONY OF P. KELLY.

P. Kelly, being sworn, testified as follows :

I live on Sixth street, between L and M, corner of the alley. I was in the Pavilion on Monday evening, with three or four others, looking at the room, because we were going to have a ball there, when I heard the

fire bells ringing; ran up to the fire, and helped get out some hay and furniture. Was not on the roof of the building that was burned at all; was on the roof of the next house on Twelfth street. When I got there where the cannon were, there was a fellow with a big stick punching the doors, and said he, "there is the cannon burning there now;" don't know who he was; that was the door towards Thirteenth street, where the cannon were. They opened the door of the long building to get out the hay; I helped Baker get it out, and then went on the next house and staid there until it was so hot I was near sliding off the roof. The man with a stick did not get the door open; it was a sheet iron door. I saw the cannon burning inside.

TESTIMONY OF JOHN SKELTON.

John Skelton was sworn, and testified as follows:

I live on the corner of Thirteenth and L streets; am a drayman; live on the corner above Brier's. On Monday evening Mr. Brier's wife came to my house and told me she smelt something burning; I went right over to this building, towards these doors, and just as I got to Brier's fence the doors burst open, and a flash came right out. That was before I got there. I hallooed fire, and think I was the first to give the alarm. When I saw the flame come out that way I was a little afraid, and backed out immediately. The young lady that stops with Mr. Brier called me to go into the house to get out some money, but just as I went in Mr. Brier came himself. I then went over to the building; saw no person there; I was on the fence when the doors flew open and the blaze came out, and of course I did not go any further. I did not go up on the roof, or try to get anything out of the stable; I was attending to my own. The doors that flew open were those on the south side; I had seen no person around there before that; had not been taking notice; it was some minutes before people gathered; did not see Robertson there till the fire had got great hold. If my judgment is correct I saw this Kelly on the roof. A young man who was with me said, "There is Kelly, the expressman, on the top of the building." Frank McPherson is the young man; he lives on L street, between Thirteenth and Fourteenth. I am politically a Republican—sound on the Union every time. The fire first came out of the doors and ran right up above the roof, but died away in an instant. I believe the doors did not remain open, because afterwards some one whom I did not know took a post and battered on the doors—whether to force them in or out, I do not know, but it looked as if it was to force them in.

TESTIMONY OF ORRIN N. CRONKITE.

Orrin N. Cronkite was sworn, and testified as follows:

I reside on Fourteenth street, between I and J streets; am a blacksmith by trade. I was reading in my sitting room at the time of the first alarm; saw a flash of flame; ran over, and was at the fire in less than a minute. I went up to the door, and saw the smoke; asked a man

standing by, where the fire was; he said, in the barn; said I, "get hold of the locks here and pull the door down;" said he, "don't open the door, because it will make a draft; wait till the water comes." I said the wagons would burn up, any way, and told him to get an axe, but he said no, they would get the water in a few minutes. The same man then cried out that there was powder, and I remembered that I had business somewhere else. I run with an engine, although I do not belong to any company, and I thought I had better go and see about getting up the engine; before I left I saw a man go up on the top of the building. I have run with Number Six Engine Company nearly nine years. When I came the smoke appeared to be about in the centre of the L. The man whom I spoke to at the door on L street had on a gray shirt—not very heavy whiskers—and a hat of some kind; heard some one say there was powder; he did not address the remark to me; might remember the man who told me not to open the door; he repeated that; should not think, from appearances, that it was opened at all. The smoke seemed to come mainly from a small place at the top of the building. There were but few men at the door, and fifteen or twenty at the other end. I got there before any engine company. I am well acquainted with Robertson and both his sons; did not see Robertson before the cry of powder, but saw his boy Edward about that time; think I should know his voice; think it was a larger man that cried powder. There is a man named George Beatty stops at the Phoenix Mills, who, I have heard, saw two boys go towards the barn, and come back with some hay, about the time of the alarm, and they cried fire. I heard a great many say, that night, that they would not have tried to save the hay if they had known who it belonged to; one man said if it belonged to Baker he would not roll out another bale. The man who cried powder was the man in a gray shirt; it was not Robertson; I would know his voice in the dark. A man started on horseback after Robertson to get the key, but I did not see him come back. The man who stopped me from opening the door laid his hand on my shoulder; I tried to pull it open to get out the wagons, and told another man to get hold with me; that was the same man who spoke about the powder that objected to my getting the wagons out; heard the boys say, when the powder was spoken of, "that's all right, John." I think possibly the building might have been saved but for quite a squabble that took place among the firemen about the water. I belonged to the company that first got the water, and they were fighting our boys to get it; I went down and sat on the plug, and said none of them should have the water except our men. In the fight they hoisted our hose some way; finally, the Chief Engineer ordered us to detach our hose, and let Two's take the water, and we did so.

The committee adjourned till Monday, at nine o'clock A. M.

SEVENTH SESSION.

MONDAY, March 21st, 1864.

The committee met at nine o'clock A. M. Present—Messrs. Benton and Scott.

TESTIMONY OF JOHN FRANCE.

John France was called.

Question.—Will you tell us all you know about the fire that occurred at the corner of Thirteenth and L streets?

Answer.—Well, I was down town, in Preston's Saloon, and heard the alarm of fire; the bell rang, and we ran out and up Twelfth street. I looked over across towards L, and saw the smoke. We ran on, and when we got there there were seven or eight men on one side, and a good many in the alley—the most of them were up the alley.

Q.—Did you run up the alley first?

A.—Yes; I ran up the alley and jumped over the fence, and went to the front on L street. We went around to that door there, and burst it open.

Q.—On the L street side?

A.—Yes; there is a short part fronting on L—that was the one. The door that opens on the vacant lot on L street burst open of itself; then some of the men shut it, and they were holding it there.

Q.—Were you there when it burst open?

A.—Yes, Sir; I was there on the lot, or on L street, I do not know which.

Q.—Do you say it flew open?

A.—Yes, Sir. The doors open towards the south.

Q.—Some of the men pushed the door to, and held it?

A.—I helped push it to and hold it. I held it, and then the smoke came out again, and they did not shut it any more.

Q.—Did you see anybody come there to open the door while you were holding it?

A.—No, Sir.

Q.—Did you see either of Mr. Robertson's boys?

A.—Yes, Sir; I saw them around.

Q.—Did they try to open the door?

A.—No, Sir; they were on L street. There were several men pounding away trying to get it open, to get the hay out of the long part of the building.

Q.—That was the one running out clear on L street—the long part?

A.—Yes, Sir.

Q.—Were the men you speak of at the door of the east part opening on the vacant lot? Was that the door you meant?

A.—No; that door opened itself. I saw it come open.

Q.—Were you around in the alley at all?

A.—Only once, when I first went up the alley and jumped over the fence.

Q.—Was the door open out of the alley into the building at that time?

A.—Not that I know of; I did not go to see.

Q.—Well, was it pretty early that you got there—pretty soon after the alarm had been given?

A.—Well, I suppose about fifteen minutes; as soon as I could get over there.

Q.—Did you notice anybody in the alley that you knew—before you got over the fence?

A.—No, Sir.

Q.—Was there any engine there—the hose cart, or anything?

A.—Not when I got there.

Q.—Did you see Mr. Robertson or any of the boys in the alley when you got there?

A.—No, Sir; I saw them around after the fire was burning.

Q.—Well, had the flame broken out at all before the door burst open upon the vacant lot on the L street side?

A.—Well, I do not know; I do not think it was. As soon as it was burst open, the draught went in and lit it right up like a match.

Q.—Then, there was nobody there to unlock the door before it broke open?

A.—No, Sir.

Q.—What do you suppose opened the door?

A.—Well, the heat, I suppose.

Q.—Did you hear any explosion at all while you were there?

A.—No, Sir.

Q.—Did you hear anything said of powder being there?

A.—Some fellow thought there was camphene or powder there when the door opened so.

Q.—Did you hear anybody say there was powder in the building?

A.—I heard some one say that they thought there was powder, or something that lit up so, in there—camphene or something.

Q.—How many men were there, do you suppose?

A.—Well, I could not tell how many there were. I suppose there were about a dozen at the door on the vacant lot.

Q.—Was that door open when you first arrived?

A.—No, Sir; not then.

Q.—Did the door seem to come open with considerable force, or did it just seem to fly open?

A.—No, there was not much force about it.

Q.—It seemed that it was burst open—or the fastenings came loose, and it just swung open?

A.—Well, I do not know. They say the heat opened it; that is all I know.

Q.—Was there any blaze or stream of smoke coming out of the top?

A.—There was smoke.

Q.—All over, or only in one place? Did it seem to come out in a body?

A.—No, Sir. I could not see, down there where I was. I could not tell whether it came out in a body or all over the roof.

Q.—Did you go close up to the door before it blew open?

A.—No, Sir.

Q.—You did not notice the fastenings of the door, at all?

A.—No, Sir.

The Committee then adjourned.

EIGHTH SESSION.

MONDAY EVENING, March 21st, 1864.

The committee met at seven o'clock P. M.

Present : Messrs. Benton, Roberts, and Scott.

TESTIMONY OF GENERAL WRIGHT.

General Wright was called, and examined as follows :

Question—Did you receive a requisition from the Adjutant-General, Mr. Kibbe, for a battery, such as the United States would furnish to the State of California, General?

Answer—Yes, Sir.

Q.—Do you recollect the date of that requisition?

A.—It was, I think, when the final requisition was sent in. We had a good deal of correspondence on the subject, and I was some time in getting ready to know how many guns I could spare; but I think it was the latter part of February.

Q.—We have a requisition from the Adjutant-General, dated February twenty-sixth. Is this the document? [Presenting it—marked "A."]

A.—This is a letter.

General Kibbe.—That is the last communication, General, with you?

A.—Between us on the subject.

Mr. Benton.—Is not that the usual form?

A.—Yes, Sir. But I think they put it in a different form down there. They have it in printed form, and they then write in the same articles.

General Kibbe.—The question, I understand now, of the committee is : Is that the form of the requisition? or whether it is simply a letter asking for an order?

A.—This is a letter asking for an order, and they have a specific form that they use at the Department. But the requisitions frequently come to me out of that form, and they are arranged down there afterwards; they put them in the right form. But I have approved requisitions, frequently, made to me by letter, asking for arms.

Mr. Benton.—This you call a letter, rather than a requisition?

A.—Well, it is the same as a requisition, I suppose. It is a request—an order—directing the issuance to the State of California, by Captain McAllister, of certain arms. We make requisitions in the army when they are entitled to a certain quantity of arms. But they are nothing like a requisition on the State, because these arms are only issued on my order, and in such numbers as I think proper; and we issue them by letter. I think that is the course I have pursued heretofore in regard to small arms. The General has been in the habit of writing me letters, asking for arms to arm companies of militia, and I have sent down, giving an order.

Q.—Well, did you give an order on that requisition?

A.—I think I did. I have a letter from Captain McAllister, which will fully explain the whole of it.

Q.—Have you the letter with you?

A.—Yes, Sir, I have it. It is a letter he wrote to me a day or two

ago. I have never communicated with him on the subject at all in relation to these arms—of their being destroyed—because I had not sufficient notice that they were destroyed. I waited to be called upon; but Captain McAllister, seeing some notice of it in the paper, wrote a letter to my headquarters, explaining their value, etc. I will submit it to the committee if you are desirous.

The letter was submitted, and read by Mr. Benton. [Marked "B."]

Mr. Roberts.—That is the original letter?

A.—No, Sir, it is a copy certified by me. It is at the service of the committee.

Q.—What would you call this, General, in official language?

A.—That communication?

Q.—Yes, Sir.

A.—I should call it a requisition for ordnance stores.

Q.—A requisition?

A.—Yes, Sir, as it is so stated in the commencement of it.

Q.—What is the formal method of requiring arms for the State of California, or receiving or getting arms for the State from the General Government?

A.—Well, I have generally had a letter from the Adjutant-General, requesting arms to arm the militia, for instance. They sent arms for the State, but it was only last summer—the latter part of summer, I think—that I received permission to give any to the State, to arm the militia of the State; although I had issued several hundred arms before that, on my own responsibility; but they stopped it at Washington, and I gave it up in despair. The Governor and Adjutant-General frequently spoke to me on the subject, but I could not issue any more arms until I saw that authority from the Secretary of War, and I then so advised the General and the Governor; and after that, on their sending me letters asking for arms, I have issued them as far as I felt justified in doing.

Q.—Has the general method of application been in a form similar to this, from the Adjutant-General of the State?

A.—Yes, Sir, by letter.

Q.—From the Adjutant-General of the State alone, to the commanding General of the coast?

A.—I think so; yes, Sir.

Q.—And what do you proceed to do then?

A.—Well, if I determine to issue the arms, I approve of the requisition, and send it below.

Q.—You approve of the requisition?

A.—Yes, Sir, and send it to Captain McAllister.

Q.—Well, when you had received the letter of which this is a copy—this one of General Kibbe—you approved the order, and sent it to Benicia?

A.—Yes, Sir, to Captain McAllister, commander of the Arsenal.

Q.—And he, as soon as he could—

A.—Orders them, when he gets ready.

Q.—As soon as he could, after that, issued the arms and sent them here?

A.—Yes, Sir, of course. That is his business—as soon as he can get them ready.

Q.—Without any other correspondence than this, would he send the arms here?

A.—If he had my approval on it, yes, Sir, of course.

Q.—You regard this requisition, or letter, or desire, or request, of General Kibbe, as calling for the arms to come here?

A.—Yes, Sir, of course.

Q.—Immediately?

A.—Yes, Sir. I think I either indorsed the letter that was sent to me—of which this is a copy—or sent a separate letter. I do not recollect which, now. But the order was made for the issue, I know, as Captain McAllister states the date of it, and has it in his possession.

Q.—Let us see—what is the date that he says?

A.—The twenty-sixth of February, I think.

Q.—That would be the natural consequence of having your approval?

A.—Of course. He never issues without an order.

Q.—And as soon as he gets your approval forwarded to Captain McAllister, then he could begin to expect them?

A.—Yes, Sir; as soon as he gave him a reasonable time. It depends upon the quantity of stores to be put up.

Q.—“General Kibbe was expecting the stores eight days,” the letter says. Would you think it would have been a surprise to General Kibbe to have received them at the time they arrived?

A.—Well, Sir, I do not know that it would have been any surprise. I cannot say.

Q.—Well, under the natural course of events?

A.—Yes, Sir; I should have expected them. I was not surprised when they arrived at all; in fact, I knew it had been some time, but I gave myself no further trouble about it, because I knew Captain McAllister would send them as soon as he could get them ready; and the morning they came was the morning I was going to San Francisco, I think, and some one remarked that the guns had arrived, and wondered where they were going. Why, says I, that’s the battery for the State, that I ordered up some time ago. I do not know but they had arrived before, in fact, but I gave myself no further trouble about it, because I knew Captain McAllister would issue them as soon as he could get them ready. I supposed when he wrote up about it he had everything ready. I had been some weeks in collecting together these arms; they were not in the arsenal at the time I determined to issue them to the State—but very few of them. I wanted to change some of them. There was one gun here sent down below and brought back again, and one at the Presidio. They had to be collected, and there were not as many issued as I proposed to issue in the first place. I think it was about ten, wasn’t it, General?

General Kibbe.—Ten, I believe.

General Wright—(continuing).—Yes, that is what I promised in the first place, but I found on examination that I could not get so many, and had to reduce the number to seven.

Q.—What is the general custom, General, as to the protection of ordnance? Do you have them in any place except some military post or arsenal?

A.—No, Sir; we have not. Generally we have them at the posts where there are troops, and we have storehouses or stores, and the guns are there under a shed or tarpaulin, at our posts.

Q.—What steps do you regard as necessary for the safeguard of ordnance at this time, for example, on this coast?

A.—Well, we have a sentinel over our arsenals, and at our armories, and at our magazines, all the time. We do that habitually, in time of

peace, although our regulations have been more stringent in time of war; when we would have men about who would be likely to interfere with those things we have to be a little more watchful. But we always took good care of our ordnance, particularly—more than any other public property. There is a more strict accountability required by the Government in relation to ordnance and ordnance stores than any other public property in the army.

Q.—Did you have any conversation with the General as to the safety of the guns brought to this place?

A.—No, Sir; I did not see the General after they came up—I think.

Q.—Or before they sent you the requisition?

A.—No, Sir; I do not recollect having any conversation, one way or the other.

Q.—What would you regard as the necessary precaution that should be taken for the care of a battery of that kind coming to this place?

A.—Well, if it came to me, having soldiers in my command, I should, of course, put it under guard, and have a sentinel over it all the time. I should take care of it in that way, having men at my command.

Q.—Would you have regarded the battery as safe with anything less than such protection as that?

A.—No, Sir; I should certainly have had a sentinel or a man to watch it if I had to leave it. We generally have a sentinel over our guns when they are exposed to any outside corporations; and when we have a gun, for instance, in the garrison, it is right by the guardhouse habitually, or where the guard can see it.

Q.—What sort of a building would you have regarded, in a military point of view, as safe to store such a battery as this?

A.—Well, it would depend upon the time, I think, that you propose to keep it. You might, in an emergency, put it in any building. Our storehouses where we store ordnance, guns, harness, and stores of all kinds to remain, are not fire-proof, but we generally locate them a little distance from any other buildings that are liable to take fire, and there are no fires in the same building, although in case of emergency we sometimes have and use buildings where there is fire to store public property—harness, and such things.

Q.—In such a case, do you keep a watch over them?

A.—Yes, Sir; we have them locked up. The building is always under the charge of sentinels at posts—the ordnance building or the magazine.

Q.—Well, as a military man, would you regard any building with a battery like this as safe without a guard?

A.—No, Sir; I would not regard it as safe without a guard.

Q.—Would you think it requisite, if you were going to store them in a building, to inquire at all into the feelings of a man as to the war, or his political sentiments?

A.—I should, unquestionably. I know some men in this town that I should not be willing to store public property with.

Q.—Did General Kibbe have any conversation with you respecting the care of the guns after they passed into the charge of the State?

A.—No, Sir; not that I recollect of. I have not met the General and spoken with him on that subject; I may have met him on the street. I went away the same day they arrived here, I think. They were burnt up, I think, the first night after their arrival, were they not?

Mr. Benton.—They arrived on Saturday, the twelfth, and were burnt on Monday, the fourteenth.

General Wright.—Well, I thought I went down on the same day. I

did not go down until Monday, and it was Monday night they were burnt. I was in San Francisco. I do not think I saw the General after their arrival, and do not recollect having any conversation with him at all.

General Kibbe.—I would ask the General one question, with your permission: Whether the General sent, on several occasions, approved requisitions, in form back to my office, just writing on the back of the requisition "Approved," and at the same time giving an order on Captain McAllister to make the issues?

Witness.—Sent them back to your office?

General Kibbe.—Sent back the requisition, or note, stating that the requisition had been approved?

A.—Yes, I may have done so. I have forgotten now, General, but I may have done so.

Q.—One question of Mr. Benton, as to what the general course is about receiving or issuing arms to the State. I should take the general course to be this: They issue arms upon orders emanating from the Ordnance Department at Washington yearly, or only quarterly, as they become due?

A.—Yes, Sir.

Q.—The orders come from the Ordnance Department as they become due, do they not?

A.—Yes, Sir.

Q.—This is an irregular issue, not a common issue?

A.—The special order of the Secretary of War, a copy of which I sent to you and the Governor, states particularly that these arms were not to be considered as any part of the quota of the State—they were specially given for the use of the organized militia. The quota would be very small as to arms, you are aware.

Q.—Well, the regular issues are made in a regular manner?

A.—Yes, Sir.

Q.—From orders received from the Ordnance Department at Washington—of which, perhaps, you know nothing, as they came directly to the Adjutant-General of the State, for the organized militia?

A.—No; I know nothing about that.

Mr. Benton.—I understand this to be a favor that you, as Commanding General of the coast, present to the State?

A.—No, Sir; not exactly. I labored very hard to get the Secretary of War to authorize it. He authorized me to issue such a quantity of arms as I think proper.

Q.—Did he include in that artillery?

A.—He did not specify what arms. It was a general order, giving general authority to issue such as I thought proper.

Q.—You took some pains to give to the State these guns?

A.—Yes, Sir. I have given them more than I was fully justified almost, because I had so many applications to arm, and I have had frequent applications from the Governor and Adjutant-General to get small arms particularly. I suppose I must have given them enough to arm one hundred and twenty or one hundred and thirty companies.

Q.—It was at your request that the Secretary of War gave you this discretionary power to issue arms according to your judgment?

A.—Yes, Sir.

Q.—And you put yourself out of the way to accommodate the State, through her officers, in permitting her to accept of these guns?

A.—Yes; I did not put myself out of the way any, because I was

anxious to do it. I felt the necessity of having as many Union men armed as possible, and I was informed by the Governor that these companies were organized; so I assumed the responsibility of issuing several hundred stand of arms, and the question was raised at Washington as to my right to do so. I knew I had no right to do so, but they approved of it. The War Department have always approved of my acts out here, although they were contrary to regulations; but said I should not issue any more. At the time they sent out fifteen thousand new arms last spring, it was understood I should arm new companies out here—so understood by the Legislature and the Governor—and I expected authority to do so, but the authority never came; and, after waiting a little while, I wrote to the Secretary, and stated the whole circumstances of these militia companies, and urging that I should be authorized to issue some more, and he deferred it; he would not grant the authority for the time. I came up then and held on to the arms until, I think, it was about the latter part of August or the first of September, when, without any further application of mine, he sent me this authority to issue arms at my discretion to organized militia companies of this State, or in the Department, I think; and it was upon that that I issued some thousands of stands and about a dozen field guns, I think, at different times.

Q.—Well, what I mean by your putting yourself to some trouble—you spoke of gathering these guns from the Presidio and other posts in the State, that you might give ten to the State?

A.—Yes, Sir.

Q.—You found it impossible to gather more than seven?

A.—Yes, Sir.

Q.—And these you turned over as authorized?

Mr. Kibbe—The General has turned over nine pieces, Mr. Benton.

General Wright—Yes, Sir. We thought we could get more, but on examining the ordnance we found we could not spare but seven, when it was expected to send ten more than the two we had already given. The regular manner of issuing arms is by a certain quota annually. I do not believe it amounts to more than two hundred to California.

Mr. Benton—What was the custom you pursued with the State authorities, in furnishing them small arms and batteries of artillery?

A.—Well, I presume that the Adjutant-General, in the communication that he addressed to me as a requisition for these arms, had received a list of what could be furnished from Captain McAllister, and endeavored to make that requisition correspond exactly with it. It was understood that we expected to furnish ten in the first place, and then only seven. I have told Captain McAllister to inform him what he could furnish. I was down with him to examine the guns on Angel Island and Grove's Point three or four weeks ago.

TESTIMONY OF CALLAHAN.

Mr. Callahan was called, and sworn :

Question.—Had you any hay in that building, Sir, that was burned the other night?

Answer.—Yes, Sir, in the northwest part of the building; I think I had ten tons and six hundred pounds.

Q.—Had you any insurance on that?

A.—No, Sir; no insurance.

Q.—Did you know the condition of the doors of that building?

A.—No, Sir; I never was in the building until after the fire. The hay was put in by Bowles & Allen, of Putah Creek. I bought thirty-three tons, and twenty-three tons were stored there before I bought it; they had it in the receipt, and it lay there some time. Since buying it I have been using that hay; when I wanted any I would go to Robertson, in charge of the building, and on his dray have it brought to our stable. I never was in the building. I got that account—ten tons and six hundred pounds—from the foreman of the stable. When it got a little threatening about the hay running out, I remarked, “I think we have hay enough to keep the horses until another year,” and wished him to see how much there was; he went to the books, and said ten tons and six hundred pounds. That satisfied me, and the next day after it was burned.

Q.—Do you know anything about the fire?

A.—No, Sir, nothing about it. In fact, I was not aware that the guns were there until the night of the fire. Some four or five of us went on the roof of a house, looking at the fire, and thought it was that building. We went up and stood at the back door, in the alley, and then spoke about the guns or cannon being in there. Some of them remarked that they were loaded, or might be, and the men got away for fear they might be loaded, or there might be powder in the building.

Q.—Do you know who it was that said that?

A.—Well, I think it was the men who were about the house. Messrs. Hamilton and Skaggs were with me. I do not know which. The men that were with me. Mr. Hamilton and quite a number of us stood there.

Q.—Are you acquainted with Mr. Robertson?

A.—No, Sir. I scarcely knew him until the last few days. I ascertained then that he was Mr. Robertson. After the fire I went to his house. Finally, they rolled out a lot of hay in the front of the building which I supposed to be my hay from the looks of the ropes, etc. To ascertain about that, I went to his house, but he was not there, and coming away I met him. He told me my hay was in the other building. Next morning I went up to see how the building was divided, and he pointed out that it was my hay there that was burnt.

Q.—You do not know, then, anything about the quantity of hay that was in the part with you?

A.—No, Sir; I do not know. I understood there was much more hay. I think I could see that there was some rough hay, next morning, that was burnt, and I could see that there was grass hay—nice hay.

Q.—Was your hay insured?

A.—No, Sir; it was not.

TESTIMONY OF FRANK FOLGER.

Frank Folger was called and sworn :

Mr. Benton.—General, you may ask Mr. Folger any questions you desire?

Mr. Kibbe.—I will defer to the committee.

Mr. Roberts.—I would rather you would ask him.

Mr. Kibbe.—I will ask you then, first, as you have had charge of that department, you have assisted in making up requisitions for arms?

A.—Yes, Sir.

Q.—What is the form of making a requisition in my office?

A.—I can show you a blank, or, at least a copy of the form. [Presenting document marked "C."]

Mr. Benton.—To whom is this directed?

A.—That was sent to Captain McAllister, commanding at Benicia Arsenal.

Mr. Kibbe.—Not first?

A.—It was sent to General Wright first.

Q.—Did General Wright approve that requisition?

A.—Yes, Sir.

Mr. Benton.—It says on the back: "Requisition for ordnance stores for Washington Light Artillery. Approved. Captain McAllister will issue as far as practicable on this requisition, including the harness. (Signed:) George Wright, Brigadier-General."

A.—That was sent, and he put that indorsement on. This is a copy of the original.

Mr. Kibbe.—Have you made up the requisitions for the last four or five months?

A.—Yes, Sir; for the last twelve months; I think all of them since I have been in the office.

Mr. Benton.—What do you call that document, [marked "A"]?

A.—This is a letter to General Wright requesting him to give an order on Captain McAllister, because Captain McAllister requested the authority of General Wright to make the issue, or has required it lately.

Mr. Kibbe.—Did you expect that they would be approved and returned to my office?

A.—Yes, sir; I supposed so. I was waiting for it to come back, expecting to make out a requisition.

Q.—In the case of the other two guns that were issued—were any letters written to Captain McAllister, as to the parties who were to receive them?

A.—Yes, Sir; I have the letters here. Here is one to deliver two guns to Captain Coombs, Washington Light Artillery.

Mr. Kibbe.—The committee will understand that we were promised ten guns, and we have received nine. The first two were issued as per these papers.

Mr. Roberts—(reads): "Required by the State of California, etc., the following stores"—signed by General Kibbe. To whom was that sent?

A.—To Captain McAllister.

Mr. Kibbe.—Do you recollect whether those guns—did you ever converse anything about those guns, and about the order not being returned by General Wright, or in regard to any detail, or anything of that sort?

A.—I did not hear anything further about it until the guns arrived here.

Q.—Was there any surprise when they came?

A.—Surprise to me and surprise to you that morning when I came into the office. I merely heard you make the remark that you had to go out and see what to do with those guns.

TESTIMONY OF CAPTAIN LYONS.

Samuel Lyons was sworn, and deposed as follows :

I believe I had some hay in the barn ; I could not say how much ; I stored there last fall a little over eighty tons ; it was next to the alley. Last season hay was very low, and I let Robertson sell some of it at fifteen dollars a ton, but I only used as little as possible of it. This summer I have used occasionally out of it ; and here about Christmas Robertson came to me and told me he would like to buy some of it. He offered me fifteen dollars for it. I told him I could not stand that, but he could use some of it for twenty dollars ; and how much he has used, or how much I have used, I do not know ; I can tell you by looking at the books. Since the fire I have not seen Mr. Robertson ; I do not know whether he has sold any hay or not. I had eighty tons put in during the first of the winter, twelve months ago, and insured it for five months, but let it run out. How much I had in the barn at the time of the fire I could not pretend to say. I was at the place the morning after the fire, and saw it was all gone in ; had not been there before for five or six months. I have sent there occasionally for a dray load ; how much I got out, and what Robertson sold, I do not know ; that was left entirely with him, because he could have sold me out ; I told him he might sell. I could tell by looking at the books exactly what I took away, because I kept an account.

Mr. Benton—I wish you would ascertain, and let the committee know.

 TESTIMONY OF GEORGE B. BEATTY.

George B. Beatty was sworn, and examined as follows :

Question.—Will you be kind enough to State to the committee what you know about this fire ?

Answer.—Well, Sir, I was in the mill at the time the fire broke out. The engineer came in, and said there was a fire. I ran out, and on over there.

Q.—Please state where the mill is ?

A.—The Phoenix Mill, on Thirteenth street, corner of J. I ran around on L street, and into the yard ; went up to the door, and pulled it a little ways open ; this was the door opening towards L street, into the open lot ; they say the guns were stored in there ; I never went further. I opened it about two feet, towards me, when a gentleman stopped me.

Q.—There was nothing to prevent you opening the doors ?

A.—Nothing at all, Sir. The man stopped me ; “Close them doors,” said he ; he was a man ; I could not say who he was ; I supposed it was the man that owned the building, or I should not have done it. I told them if they would bring on some pails we could put the fire out ; and they fetched on one pail ; and then they would not let us into the door ; and I went around into a shed, and passed the water up to a gentleman on the roof ; I passed up, I guess, a dozen buckets ; he said the water did no good—he could not get it into the building.

Q.—Were you in the alley ?

A.—No, Sir, I did not go into the alley.

Q.—Did you hear anything said about there being powder in the building?

A.—I heard some boys halloo "powder!"—boys twelve or fourteen years old; I do not know who they were; when that alarm was raised, there were a good many running; I staid there; the man on the roof got down before they halloosed "powder."

Q.—Did you see anybody there that you knew?

A.—Well, there were a number that I knew: Mr. Jacobs, Peter McGraw, Mr. Neill, John McCord, and Joshua Baker; did not hear any of them say anything about the origin of the fire, or about there being powder there.

Q.—Well, is it your opinion that when you arrived there the fire could have been easily put out?

A.—Yes, Sir; it could have been put out very easy.

Q.—Did this man who told you to shut the doors state any reason for it?

A.—Yes; he said the fire would spread; he said, "Keep the doors closed until the engines can get here." I told him we could put it out with pails if they would throw open the door.

Q.—When you opened the door, did you see any fire?

A.—Yes, Sir; it was getting right along the bales of hay, right up the bales, very slow, on the outer side of the bales of hay.

Q.—Did you notice whether or not the opening of the door had any effect?

A.—No, Sir. If you opened it a little, some little draught would come out; but if you opened it all the way, it would have no effect at all. I asked the man who was on the roof if he could see any hole there—in the roof—and he said no. There was but one man on the roof—John McCord. He was not on the roof at the time I got there; I think he was on the ground at the time I arrived there. There were not a dozen persons there, boys and all, when I got there.

Q.—Was there much smoke in the building at this time?

A.—No, Sir, not in the building. There was considerable smoke coming out of the top somewhere; I do not know where it came out—whether it was on the roof, or whether it came from the outside.

Q.—Did you know that the guns were in there when you went there?

A.—No, Sir, not when I opened the door. I heard before I left some one talk there, who said the guns were in there.

Q.—You say you did not run?

A.—I say so now; because I thought no man would be foolish enough to put powder where there was a lot of hay. I didn't believe there was any powder there; did not hear anybody else say that they did not believe it.

Q.—It is your firm conviction that the fire could have been put out at first?

A.—Yes, Sir, and everything got out of the building, if they had allowed the doors to have been opened. If the cannon did not weigh more than twenty hundred, they could have got them out; there was nothing to prevent it in the world. I did not notice who the man was that ordered me to shut the door, because I supposed he was the owner of the building, and of course he had a right to say the doors should be closed up again. I paid no attention to him; but I thought if they did not want to save the barn, all right. It was not Robertson; I know

him well. I did not see him about there at all. I stayed at the fire until after the inside work all fell down; I should think half an hour, perhaps—perhaps longer.

Q.—You saw no attempt to get the guns out?

A.—No, Sir; there was none.

Q.—Why was there no attempt made?

A.—Because they would not let them open the doors. They said the fire would spread through the building, and they wanted to keep it smothered.

Q.—I think, Mr. Beatty, some one has stated to the committee that you saw a couple of boys go down in the direction of the barn, and come away in the evening with a load—a bale or two of hay; do you recollect any such circumstance?

A.—There was a team came by the mill about half-past five o'clock with a large load of hay on, coming from that way. I made the remark, when they came past, "There is a big load of hay for one horse." It is a little up grade there, and they had to make the horse run to get over it. I should think there were six or seven bales, and there were two boys on the load. It was a big gray horse. I do not know who they were, but I think I should know the horse or the team if I saw them again.

Q.—I do not understand you to say that it came from that barn?

A.—No; it came from that way. I have inquired since, and learned that there was no other hay stored anywhere else except in that barn. It must have come from there.

Q.—Did you notice where it went to?

A.—It went over toward I street, across the road; over on Thirteenth, toward I, in the direction that Robertson always hauls his hay when he hauls over that way. I know Robertson's boys—it was not them. I know two of them; I do not know whether he has any more or not.

Q.—Do you know anything about Robertson's sentiments?

A.—I never have heard him express his sentiments at all; only what others say. They say he is a secesh; I not know whether he is or not. I never talked with him a word on politics in my life. He has been at the mill there a great deal—rather more, I suppose, than I would like to have seen him.

Q.—Do you recollect who you have heard speak of his sentiments?

A.—I have heard, perhaps, fifty in all.

Q.—What is his general character as to loyalty?

A.—As to that, I could not say, because I never have heard the man speak a word on politics. Others say he is the strongest secessionist in this town; he must be pretty strong.

Q.—The object in summoning you here was to ascertain who the first man was on the top of the roof.

A.—Well, John McCord; I think he was the only man on the roof. There was another man who said he was on the roof, but I do not know.

Q.—This Neill was on the roof, and so was McGraw?

A.—I guess they were only on the shed part. I have heard folks say there was a good deal of hay stored in there, but I do not believe there was when I came to see the fire; I do not believe there was twenty tons altogether in the end building. Eight bales to the ton would be about the average, I should think.

Q.—Did you hear Joshua Baker say that he told Robertson the boys

were going to burn that building, and that he had too much to lose—that he could not stand it?

A.—No; I did not hear Baker say anything about the fire at all. I helped him roll out his hay; he was inside of the building all the time, and I did not hear him make any remark.

TESTIMONY OF DR. JAMES CAPLES.

James Caples called, and sworn :

Question.—Will you state to the committee all that you know about the fire that occurred by which the battery was burned the other night?

Answer.—I live on the southwest corner of Thirteenth and M streets, fronting this building, across the block from it. When the alarm was first given, was tending to my horses at the stables in the rear of my house. One of my little children, on the west side of the house, called out, in an excited manner, “What a great bonfire there is!” I saw it was the barn; finished watering my horses, went to look at the fire a while, and came back again.

Q.—Did you visit the place frequently before the fire?

A.—I was never in it but once, and that was, I should think, about a week before the fire. I should think there were twenty to forty tons of hay there at that time; I could not guess very accurately; there might be a great deal more.

Q.—Were you in the main building where the cannon were afterwards stored?

A.—Yes, Sir. I did not notice the doors specially, except that they were even doors; did not notice fastenings; am very little acquainted with Robertson. I had concluded to invest a little money in hay, seeing the prospects of the weather, and as I observed a man hauling hay out of that building, I went up to ascertain whether the hay was for sale. They told me that Robertson keeps the feed store on the corner of the square, and that he was lessee of the building; went up to see Robertson, and bought five tons of him—not what was in the barn, but some that he had in the feed store; know nothing about his political sentiments. I have lived in that neighborhood since November twenty-first last. Never had any hay stored in that building.

TESTIMONY OF T. W. MACKFASSEL.

T. W. Mackfassel was called, and sworn :

Question.—Will you be kind enough to tell the committee what you know about this fire that destroyed the brick barn where the cannon were stored?

Answer.—I will tell all I know. I reside on L street, between Thirteenth and Fourteenth, on the south side, and at the time I was sitting in the room, reading the “Bee,” when I was disturbed by a noise that sounded to me like a blow of sound more than anything else, and right after that I heard the cry of fire. I went out and saw it was the east wing of the barn that was on fire; I ran over to the fence and looked on for a little

while, but did not go near the building. I had not been there more than two or three minutes before I saw some men at the door of the east wing. It opens about two feet, and I think there was somebody made the remark about a battery, and then I ran back again. From there I went to L street, near the front door, and saw a party of men breaking that door open. When the door was opened they all pitched in and helped roll out the hay—all they could. That is about all I know.

Q.—Do you know the names of any persons that spoke about the battery?

A.—I did not hear anything more said about the battery. I could not hear who it was—it was far from me. I was in the yard, and the remark was made some distance from me. I did not see who made it.

Q.—The door was open about a foot and a half or two feet?

A.—Yes, Sir, and the men were at it.

Q.—Did they close the door?

A.—They let it go. It sort of shut again. I think it was bolted on the top.

Q.—Was there any blaze when you first got there?

A.—I did not see any blaze. It was inside of the building where the fire was.

Q.—Well, do you think the fire could have been put out at that time?

A.—Well, I have no doubt if somebody had rushed in and broke the door open, it might. I do not know how large it was, exactly, inside—whether there was much burning or not. I could not say, because it was closed right away again.

Q.—Do you know the names of any people that were there when you first got there?

A.—Well, Mr. Skelton was with me, and Mr. Brier.

Q.—Were they there before you?

A.—They were there before me. There were not very many people there when I got there; there were four or five before the door on the east wing opening on the vacant lot.

The committee adjourned.

N I N T H S E S S I O N .

TUESDAY, March 22d, 1864.

The committee met at nine o'clock A. M. Present—Messrs. Benton, Smith, Wood, and Scott.

TESTIMONY OF H. G. SMITH.

H. G. Smith was sworn, and testified as follows:

Question.—Tell us, Mr. Smith, anything you know about the hay that was in the barn that was burned on Monday night last?

Answer.—A few days before the fire I had bought a small lot of hay of Robertson, the man that had the building in charge, and the day before

the fire he came to me and asked me if I was going to haul that hay away that day. That was on the same day that the fire occurred—before the fire. I told him I did not know, but if my team had time I might probably haul it away. Said he: "If you let it be till to-morrow I will haul it down, and wont charge you anything for it."

Q.—How much hay had you bought?

A.—I was to have about twelve tons. I did not know the exact amount in there, but I was to have twelve tons if it was there—not all in the barn, because a part of it was sold to another party; but I thought there was about twelve tons coming to me. I had taken away three tons, and the balance I was to have. It was grass hay—common hay.

Q.—When were you at the building last?

A.—Some two or three days before the fire—perhaps four days.

Q.—How much hay was there then?

A.—In the part of the building I was in, I should think there was perhaps twenty or twenty-five tons at that time.

Q.—Did you understand or learn whether that hay was all Robertson's?

A.—Yes; it was all Robertson's—all in that part of the building. In the other part, I do not know anything about it.

Q.—I mean the part where the cannon were stored?

A.—There were two bunches of hay, two different piles, in that part—that is, where the cannon were. Both piles were grass hay; perhaps a little difference in the hay.

Q.—Was there any other hay in that part?

A.—I think there were a few bales of oat hay.

Q.—Did you understand that a part of this hay belonged to Robertson, and a part to somebody else?

A.—No; I understood that it all belonged to Robertson, but that some other party had a lien on the hay. He told me that he had borrowed some money on the hay—that he had something like seven hundred dollars in greenbacks to raise upon it. He said he had three hundred dollars in greenbacks already in his safe, and if I bought, possibly I might have to help him raise the balance of the amount of greenbacks; but afterwards he said he had arranged all that part, so that the hay could be allowed to be taken away.

Q.—Was there any battery stored there when you were there last?

A.—No, Sir.

Q.—Do you recollect the day of the week?

A.—I could not; I think it must have been somewhere about the middle of the week—Wednesday or Thursday; I would not be positive.

Q.—Are you acquainted with Mr. Robertson?

A.—I have been acquainted with him for several years.

Q.—Do you know his political sentiments?

A.—Well, I have always understood they were—I suppose you would call them seesh. I never heard him say anything at all about it, but I understood outside that he was a secessionist.

Q.—What kind? There are various shades, you know. Was he a violent secessionist?

A.—I understood he was, though I never heard him say a word on the subject.

Q.—Did Robertson give any reason to you for wanting you to let the hay remain there till next day?

A.—No; he merely said if I would let it be he would haul it down free of charge. I did not think anything of it till after the fire, when it

occurred to me that it was rather suspicious. I thought at the time that perhaps he had sold the hay, and did not want me to know it—something like that. He was owing me some five or six hundred dollars, and I was anxious to get the hay, so as to get my pay.

Q.—Did he tell you who had this lien on the hay?

A.—No, Sir.

Q.—Then, of all this hay that Robertson owned, how much was really his hay?

A.—Well, it was all sold that he had there. He had sold the entire bill to two different parties—part to me, and part to a man named Knox. He was owing this man Knox some four hundred dollars, and sold him ten tons of hay, and the balance was due to me—about twelve tons, I suppose, three of which I had taken.

Q.—Where was the hay that Knox had bought?

A.—That had been taken away. I should think there were twenty or twenty-five tons in all, as near as I could judge.

Q.—How much do you suppose there was of Callahan's hay—the oat hay?

A.—I did not know who it was that owned it; perhaps there were a dozen bales when I was in there. I was not interested, and did not notice particularly. There might have been ten tons, or thereabouts, but I doubt it very much.

Q.—Did he tell you anything about his having insurance on the hay?

A.—I think he did say it was insured.

Q.—Before the fire, when you bought it?

A.—No; I do not think he did when I bought it. It was afterwards—after the fire, I remember now. I did not know anything about it till I heard it was insured after the fire. I went to Robertson to get him to assign the insurance policy to me. He said he had assigned it to another party, but he would go and see him, and if he was willing I should have the money. That was since the fire.

T E N T H S E S S I O N .

THURSDAY, March 24th, 1864.

The committee met at ten o'clock.

Present: Messrs. Benton, Smith, Wood, and Scott.

J. R. Adkins, and George F. Lang were sworn and examined, but the Committee decided that their testimony was not material.

FURTHER TESTIMONY OF JOHN SCHADE.

John Schade, recalled and resworn, testified as follows:

I have been associated with General Kibbe, in the capacity of Armorer since the spring of eighteen hundred and fifty-four; think I am perfectly conversant with his political feelings. So far as I know, no man living in the world goes more fully for the Government and for the Administra-

tion; he is a real good Union man. I know that he has exercised care and diligence in respect to the arms in his custody. About a year ago, the Armory being on Fifth street, between I and J streets, there was a report that another house right in front, on J street, was occupied by a secessionist named Wilcoxson, and that they were holding secret meetings there, at night. The Armory was a good fire-proof building. General Kibbe came to me and asked if there was any danger that they could break through the wall from J street and steal the arms. We had about five hundred only stored there at the time; this was about four o'clock in the afternoon; I told him I had a good dog, and would move the ammunition wagon away from that side, so that he could get right at that wall, and put the dog in. I then thought there would be no danger, and I would look out myself. Four or five days afterwards he thought it best to be secure, and asked me if I knew a good fire-proof building on the main street; it happened that there was one on J street, and he immediately rented that and put the arms in there for security. My profession is that of a gunsmith. I have to repack and examine and clean arms when they arrive; sometimes they are broken. General Kibbe always told me to take the best of care of them I could; he told me several times to look out, for there were a great many reports about secessionists. I told him there never was a stroke of a bell for a fire alarm, or anything of the kind, but what I went right to the Armory. At one time, about four months ago, I was a little afraid; I had seen two or three suspicious men around, and told General Kibbe I would like to hire a man to watch, and I would stay there myself; he told me to do so, and I hired a watchman, and had him on the outside with a loaded pistol. I did not know this battery was coming until Saturday morning, about seven o'clock, when a drayman came up with a load of goods, and told me the guns were at the levee. General Kibbe had told me the guns were going to issue, but he did not want them here, because there was no room for them. He had given me no directions, as Armorer, in regard to those cannon. I had known this Robertson in eighteen hundred and fifty-five and eighteen hundred and fifty-six, when he boarded with me at a respectable house. I considered him then a perfect gentleman; never spoke to him more than once afterwards till the time the building was hired; after the fire I heard he was a secessionist, but never before. If I had heard it before I would have informed General Kibbe.

To General Kibbe—A certain carman has done the work for the Armory till about eighteen months ago; always did his work properly. General Kibbe sent for me to come to his office, and told me he understood this drayman was a secessionist; that he had it from good authority. I told him the man was a kind of a wild talker, but he had never said a word against the Government in my presence. General Kibbe said if he was a secessionist he could do no more hauling for the State. Two or three days afterwards General Kibbe pointed out another drayman, and said that was the man I was to employ hereafter; his name is Col-lar; he is just as good a Union man as there is living.

To the Committee—The best way to do damage to a cannon is to spike it with a rat-tail file. A man could spike ten guns in five minutes, with four bits worth of files; he need not hammer at all—just drop them in and break them off, and the cannon is good for nothing after it is spiked in that way, except for the metal. They have tried it in the United States and in Europe, but never could make the guns good for anything. They have been drilled out, but that is of no account. That was done once here, but the result was, that one man lost his life and another had

his arm shot off. The best way to protect guns from spiking is to watch them. I never told General Kibbe, but I was afraid those guns would be spiked on the levee, and got a friend of mine to watch them there, and see that nobody took the leather covers off, and looked into the holes. They should be guarded, or kept in a safe house, where no man mean enough to spike them can get at them.

TESTIMONY OF A. W. BISHOP.

A. W. Bishop was sworn, and testified as follows :

I have known General Kibbe by sight for several years; have had personal acquaintance with him about a year, and for the past eight or nine months rather intimate; know his political predilections as I do those of others of my acquaintance—by their talk; have had conversations with him of a political nature; I do not know how often. The most I ever heard him express himself upon political matters was at the time of our encampment. He made special inquiries as to the political tenets of the different merchants of our town, when they made application to furnish supplies for the encampment. He expressed to me the reason; I think he used these words—that “No Copperhead should receive a cent from the Government through him.” I do not know that I had any conversation particularly with him in which the line of policy or principles of the Federal Administration were argued, except as the conversation came up with others; I have heard him express his views in regard to the policy of the Federal Administration. In a conversation between myself, General Kibbe, and two or three others—we were taking dinner together, and the conversation was principally upon political matters, of the Administration and the affairs of the Nation—I think we all agreed perfectly as to the policy of the Administration, and I am a very strong supporter of it. I have always supposed him to be a firm and determined friend of the Government.

The Committee adjourned till evening.

Majority Report of Joint Committee.



MAJORITY REPORT.

MR. SPEAKER :—The Joint Committee of the Senate and Assembly appointed to inquire into the cause of the destruction of a battery of seven guns by fire, on the evening of March fourteenth, in the City of Sacramento, beg leave to report as follows :

First—They find that the Adjutant-General, W. C. Kibbe, was informed on the twenty-fifth of February, by Captain McAllister, in charge of the United States Arsenal at Benicia, that he was prepared to issue seven pieces of artillery, with caissons and equipments, and that the next day, February twenty-sixth, General Kibbe presented a request or requisition on the commanding General of this Department for an order on Captain McAllister for the issuance of the same to the State of California. In a letter from Captain McAllister to Colonel Drum, dated March seven-teenth, eighteen hundred and sixty-four, handed to the committee by General Wright, he says :

“I received the order for the issue from the Commanding General on February second, eighteen hundred and sixty-four. My letter advising General Kibbe of the fact, and stating that I was ready to make the issue, was dated February twenty-fifth, eighteen hundred and sixty-four. General Kibbe's requisition for the stores was dated February twenty-sixth, and was received on the second instant. The issue was unavoidably delayed until the eleventh instant, so that General Kibbe was expecting the stores some eight days.”

On the twelfth of March the stores arrived in Sacramento—General Kibbe says, “unexpectedly.”

Second—The committee find that Governor Low had expressly stated to the Adjutant-General that he did not wish the guns and stores brought to this place at all, for two reasons: 1st—They would not be safe here; and 2d—They would not be as near the places for which they were part of them destined, viz: San José and Stockton. And that the said requisition was made without the order or even knowledge of the Commander-in-Chief.

Third—That when they arrived here the guns and caissons were put into a building without proper fastenings, (one door being tied with a hay rope, and very easily pulled open,) and that no inquiry was made into the character and sentiments of the man who had the custody of

the keys and care of the building; that no guard or watch was put over the property.

Fourth—The man who had the lease of the building, and of whom General Kibbe rented, who had the care and custody of it after the guns were stored there, is a well known secessionist.

Fifth—This man (R. L. Robertson) had not more than seven or eight tons of hay of his own in the building; that in all there were not more than thirty or forty tons; that Robertson was insured for eight hundred dollars.

Sixth—That after the fire was discovered a portion of the guns might have been saved, had not Robertson stated that he did not know but there was powder in the building, thus frightening the people away.

Seventh—The committee have no doubt but that the fire was the work of some secessionist, kindled by pouring camphene on the gun carriages, with hay thrown over them, and perhaps also on the roof of the building.

In conclusion, your committee think that General Kibbe erred in ordering or allowing the guns to have been brought to this city at all; that he was negligent in not looking more closely at the security of the doors of the building in which he stored the battery; that he is to be blamed for not knowing the sentiments of the man Robertson, of whom he hired the building; that he erred in not having put a guard over the guns day and night.

The committee also recommend the adoption of the accompanying resolution.

All of which is respectfully submitted.

HUNT,
WOOD,
SMITH,
BENTON.

SACRAMENTO, }
March 30th, 1864. }

STATE OF CALIFORNIA,

To John Hemsley, Sergeant-at-Arms, Senate, Dr.

Name.	Amount.
For summoning George Brier.....	\$2 00
For summoning Joshua Baker.....	2 00
For summoning John Nelson.....	2 00
For summoning William Neely.....	2 00
For summoning — McGraw.....	2 00
For summoning O. Cronkite.....	2 00
For summoning John Skelton.....	2 00
For summoning — Kelly	2 00
For summoning Honorable W. S. Montgomery	2 00
For summoning D. E. Callahan.....	2 00
For summoning Captain Lyons.....	2 00
For summoning H. G. Smith.....	2 00
Mileage on above, at twenty cents each.....	2 40
Total	\$26 40

The above service was rendered in the case of the inquiry concerning destruction of ordnance by fire at Sacramento, on Monday night, March fourteenth, eighteen hundred and sixty-four.

JOHN HEMSLEY, Sergeant-at-Arms, Senate.

SACRAMENTO, }
March 30th, 1864. }

STATE OF CALIFORNIA.

To William M. Rider, Sergeant-at-Arms, Assembly, Dr.

Name.	Amount.
For summoning John Schade.....	\$2 00
For summoning F. Malone.....	2 00
For summoning B. Cahoon	2 00
For summoning William Siddons.....	2 00
For summoning R. L. Robertson.....	2 00
For summoning Joshua Baker.....	2 00
For summoning Frederick Walters	2 00
For summoning Robert Robertson.....	2 00
For summoning Edward Robertson.....	2 00
For summoning Mr. Holmes	2 00
For summoning John Francis.....	2 00
For summoning George A. Beatty	2 00
For summoning Frank Mackfassel.....	2 00
For summoning Doctor Caples	2 00
For summoning Brigadier-General George Wright	2 00
For summoning John Schade.....	2 00
For summoning Mr. Milan.....	2 00
For summoning Mr. Atchins.....	2 00
For summoning Mr. Lang.....	2 00
For summoning A. W. Bishop	2 00
For summoning William Richards.....	2 00
For summoning C. L. Knowles.....	2 00
For summoning Mr. Schmeiser.....	2 00
Mileage on above, twenty cents each	4 60
Total	\$50 60

The above service was rendered in the case of the inquiry concerning the destruction of ordnance by fire at Sacramento, on Monday night, March fourteenth, eighteen hundred and sixty-four.

WILLIAM M. RIDER, Sergeant-at-Arms, Assembly.

Resolved, By the Assembly, the Senate concurring, that Amos Bowman and A. J. Marsh be and are hereby allowed seventy-five dollars each, and that William M. Rider be allowed fifty dollars and sixty cents, and John Hemsley be allowed twenty-six dollars and forty cents, to be paid one half out of the Contingent Fund of the Assembly, and one half out of the Contingent Fund of the Senate.

Minority Report of Joint Committee.

MINORITY REPORT.

To the Senate and Assembly of the State of California :

The minority of your Joint Committee, appointed to inquire into the cause of the destruction of a battery of seven guns, by fire, on the night of March fourteenth, in the City of Sacramento, beg leave to report :

That they agree with the majority of the committee in the conclusion that the destruction of the battery was caused by parties unknown, and in the supposition that those parties are secessionists, and suggest that the testimony bearing upon this point be submitted to the Prosecuting Attorney of the City and County of Sacramento for his consideration.

It seems from the testimony that General Kibbe had not been notified that the order had been issued by General Wright directing Captain McAllister to deliver the battery ; and it is further in proof that the usual course has been, in such cases, to give such notification. It is, therefore, fair to presume that General Kibbe had no actual knowledge that the guns would be issued at any specified time, or that they would be forwarded to him at Sacramento, without a requisition on his part to that effect ; and in fact, therefore, the guns arrived "unexpectedly" to him.

Your committee find no repugnance in the testimony on this point. It has been the usual custom for the Adjutant-General to make requisitions for arms, etc., without the express order of the Governor. General Kibbe expected to cause these guns to be issued to certain artillery companies in this State, direct from the United States Arsenal at Benicia, as had been done on a previous occasion to Captain Coombs at Napa City ; and if General Kibbe had been notified by Captain McAllister or General Wright that seven guns were ready to be issued, in compliance with his letter of February twenty-sixth, eighteen hundred and sixty-four, they would have been drawn by requisitions in favor of the parties for whom they were intended.

Upon the arrival of the guns at Sacramento, General Kibbe used all possible diligence in procuring a safe storeroom for them—the fact being clear that the State itself has been criminally negligent in having failed to provide an arsenal, or to furnish means to the Adjutant General to secure State ordnance and stores from loss or destruction. And the further fact is fully shown, that the City of Sacramento does not con-

tain a building suitable for the purpose which could be procured for the use of the State.

In the course of his inquiries, the persons to whom the Adjutant-General applied, recommended this particular building in which the guns were stored as a most suitable, commodious, safe, and secure place of storage; it was considered fire-proof, constructed of brick, and with iron-covered doors, and comparatively safe, from its isolated position. The door on L street was secured with an iron bar on the inside, and the door on the alley in the rear by a heavy padlock on the outside. Any defect that may have existed in these fastenings was not made known to General Kibbe, nor was there any reason to suspect such defect, for it appears that General Kibbe was assured that the fastenings were all secure. The State Armorer, John Schade, who has faithfully filled that position for nine years past, superintended the storing of the guns, and witnessed the securing of the fastenings on Saturday night, and everything was apparently safe. That the defect in the fastenings of the door appears to have been this: that the iron bar on the inside of the L street door was short, and liable to be slipped out of its place, and that to keep it to its place a piece of rope was bound around it and fastened to nails driven in the door; that by springing this door, it is supposed the fastening may have been released partially, and the door thus opened. General Kibbe had neither authority to employ a guard, nor means provided to pay one, nor is there any sufficient Contingent Fund provided for his office to enable him to procure such or similar services.

Your committee cannot see that General Kibbe is responsible for the sentiments of Robertson. That he is a secessionist, there is no doubt, and that there are many more of the same stripe in Sacramento, as shown by testimony before the committee, there is no doubt. It is even supposed by many of our people that persons entertaining such sentiments are to be found, not only among the private citizens on our coast, but in places of public trust. It is shown that General Kibbe has used, at all times and on all occasions, the greatest diligence in protecting the arms and munitions of war in this State from the hands of secessionists, and all other parties; and that, in this instance, the only place in the City of Sacramento in which to store this battery, with any probable safety from fire, was procured by General Kibbe.

Your committee think it unnecessary to indulge in fruitless lamentation over the ashes of this battery. We need the guns. To place them again in serviceable condition is a duty incumbent on the State, and that speedily. The loss of this property falls upon the State; the State must restore it. We therefore present a bill providing for an appropriation to remount this battery, and recommend its immediate passage.

Your committee would further recommend that his excellency the Governor be requested to offer a suitable reward for such information as will lead to the conviction of the incendiaries, believing, from information reported to them, that such a course will prove successful in detecting and bringing to condign punishment the guilty parties, and, accordingly, submit accompanying joint resolution to that effect.

All of which is respectfully submitted.

E. W. ROBERTS,
Of Senate Committee.
THOS. SCOTT,
Of Assembly Committee.

APPENDIX.



VOUCHERS AND SPECIFICATIONS

REFERRED TO IN THE FOREGOING TESTIMONY.

[A]

[Copy.]

GENERAL HEAD-QUARTERS, STATE OF CALIFORNIA,
Adjutant-General's Office, Sacramento, Feb. 26th, 1864. }

GENERAL: I have the honor to request an order directing the issuance to the State of California, by Captain McAllister, commanding Benicia Arsenal, of the following ordnance and ordnance stores, viz :

- 5 (five) Six-pounder brass guns.
- 2 (two) Twelve-pounder brass howitzers.
- 7 (seven) Gun carriages, complete.
- 7 (seven) Caissons, complete.
- 7 (seven) Sponge buckets.
- 7 (seven) Tar buckets.
- 7 (seven) Gunner's gimlets,
- 7 (seven) Haversacks.
- 7 (seven) Gunners' Pincers.
- 14 (fourteen) Handspikes.
- 7 (seven) Lanyards.
- 7 (seven) Port-fire stocks.
- 7 (seven) Linstocks.
- 7 (seven) Port-fire cases.
- 14 (fourteen) Sets harness for two leading horses.
- 14 (fourteen) Sets harness for two wheel horses.
- 7 (seven) Priming wires.
- 7 (seven) Prolonges.
- 14 (fourteen) Sponge covers.
- 14 (fourteen) Sponges and rammers.
- 5 (five) Tangent scales for six-pounder guns.
- 2 (two) Tangent scales for twelve-pounder howitzers.
- 7 (seven) Tarpaulins.
- 7 (seven) Thumbstalls.

- 7 (seven) Tow hooks.
- 7 (seven) Tube pouches.
- 7 (seven) Vent covers.
- 7 (seven) Vent punches.
- 3 (three) Worms and staves.
- 7 (seven) Spare wheels.
- 7 (seven) Spare poles.

I have the honor to be, General,

Your obedient servant,

[Signed :]

WM. C. KIBBE,
Adjutant-General.

Brigadier-General GEO. WRIGHT,
Commanding Department of Pacific, U. S. A.

—

A true copy.



WM. C. KIBBE,
Adjutant-General State of California.

[B]

BENICIA ARSENAL, Cal.,
March 17th, 1864. }

Col. R. C. DRUM,
Ass't Adj't-General U. S. Army,
Headquarters Department Pacific.

SIR:—I have the honor to enumerate below the dates of the orders, letters, and requisitions which determined the issue of the battery lately destroyed by fire in Sacramento. This is rendered necessary by statements which appeared in the "Sacramento Union" of the sixteenth instant. *Quotation*—"It is the opinion of the Adjutant-General * * * that the wood work, etc., can be rebuilt for two thousand five hundred dollars. * * * General Kibbe states that the ordnance was sent him rather unexpectedly."

I received the order for the issue from the Commanding General on February second, eighteen hundred and sixty-four. My letter advising General Kibbe of the fact, and stating that I was ready to make the issue, was dated February twenty-fifth, eighteen hundred and sixty-four. General Kibbe's requisition for the stores was dated February twenty-sixth, and was received on the second instant. The issue was unavoidably delayed until the eleventh instant, so that General Kibbe was expecting the stores some eight days.

Below please find the cost of the stores sent to Sacramento on the eleventh instant:

Guns.....	\$2,498 40
Carriages	4,460 75
Implements.....	270 92
Harness.....	1,383 90
Muskets..	692 00
Total	\$9,305 97

These articles were made in the East, at arsenals at which they have every facility for manufacturing, and seasoned timber. The cost out here to make them would far exceed the above, with the addition of the freight paid, which has not been considered in the above.

I am, Sir, very respectfully,

Your obedient servant,

J. McALLISTER,
Captain of Ordnance, Commanding.

HEADQUARTERS, Sacramento, }
March 21st, 1864. }

Official copy.

G. WRIGHT,
Brigadier-General U. S. Army, Commanding.

[C]

[Copy.]

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, Jan. 16th, 1864. }

Capt. J. McALLISTER,
Chief of Ordnance, Dep't of Pacific,
Commanding Benicia Arsenal.

SIR:—Please deliver to the bearer the ordnance and ordnance stores called for by the requisition inclosed, and the same will be duly receipted for as issued to the State of California.

I am, Sir, very respectfully,

Your obedient servant,

[Signed :]

WM. C. KIBBE,
Adjutant-General.

[D]

[Copy.]

GENERAL HEADQUARTERS, STATE OF CALIFORNIA,
Adjutant-General's Office, Sacramento, Feb. 1st, 1864. }

CAPTAIN:—Inclosed find requisition, duly indorsed by General Wright.
I hope this will secure full equipments for your corps.

I have the honor to be

Your obedient servant,

[Signed :]

WM. C. KIBBE,
Adjutant-General.

Capt. NATHAN COOMBS,
Commanding Washington Light Artillery,
Napa City.

[E]

[Copy.]

Required by the State of California, for the use of the militia in practice of bayonet exercise, the following ordnance and ordnance stores:
Fifty muskets, complete for fencing.

[Signed :]

WM. C. KIBBE.
Adjutant General.

February 17th, 1864.

[F]

[Copy.]

ORDER FOR SUPPLIES, No. 4028.

ORDNANCE OFFICE,
Washington, Sept. 17th, 1862. }

To Capt. J. McALLISTER,
Benicia Arsenal:

SIR:—You are hereby required to issue to General Wm. C. Kibbe, Adjutant-General of California, Sacramento, on account of quota of arms due under the law of eighteen hundred and eight, the following ordnance stores, viz:

128 rifled muskets, model of 1855, (Cal. 58,) with appendages,	
\$13 93 each.....	\$1,783 04
128 sets of accoutrements for same, \$3 75 each.....	480 00
	<hr/> \$2,263 04

Being equivalent (at thirteen dollars per musket) to one hundred and seventy-four and one-thirteenth (174 1-13) muskets.

[Signed :]

JAS. W. RIPLEY,
Brigadier-General, Chief of Ordnance.

—



A true copy.

WM. C. KIBBE,
Adjutant-General.

[G]

[Copy.]

SACRAMENTO, January 13th, 1864.

GENERAL:—I will furnish you one thousand stand of small arms and equipments for organized militia companies of this State, under the restrictions which the War Department have imposed on me, and as a part of the supply which you requested of me some time since.

Please let me know where you will receive the arms.

Yours,

[Signed :]

G. WRIGHT,
Brigadier-General.

General KIBBE,
Adjutant-General.

—

(Indorsed :)



" A true copy.

" WM C. KIBBE,
" Adjutant General."

[H]

[Copy.]

Required, by the State of California, for the "Washington Light Artillery," the following ordnance and ordnance stores:

2 Six-pounder brass guns.	1 Worm and staff.
2 Six-pounder gun carriages, complete.	2 Sponge buckets, (wood.)
2 Six-pounder field caissons.	4 Tar buckets.
4 Sets of wheel harness, for two horses.	2 Prolonges.
4 Sets of leading harness, for two horses.	2 Vent punches.
4 Handspikes.	2 Gunner's pincers.
4 Haversacks.	2 Tow hooks.
4 Tube pouches.	1 Tangent scale.
4 Thumbstalls.	2 Gunner's gimlets.
4 Sponges and rammers, six-p'dr.	4 Tarpaulins, large.
2 Priming wires.	2 Spare wheels.
4 Sponge covers.	2 Spare poles.
2 Linstocks.	2 Vent covers.
	2 Port-fire stocks.
	4 Lanyards for primers.
	30 Artillery sabres, belts, and plates.

[Signed:]



WM. C. KIBBE,
Adjutant-General.

(Indorsed:)

"Requisition for ordnance, etc., for Washington Light Artillery.

"Approved.—Captain McAllister will issue as far as practicable on this requisition, including the harness.

[Signed:]

G. WRIGHT,
"Brigadier-General.



"A true copy.

"WM. C. KIBBE,
"Adjutant-General."

[I]

Leland Stanford, having been duly sworn, deposeth and says:

That during the two years past, while acting as Governor of this State, I had frequent occasion to notice the care and fidelity with which General Kibbe discharged the duties of the office of Adjutant-General, and particularly the anxiety always manifested by him in the protection and safety of our State arms, he having, on many occasions, brought this subject to my notice officially. In my opinion, no officer could have discharged his duties with greater fidelity in all the various branches than

did Adjutant-General Kibbe during my official term as Governor of this State; certainly, no man could have taken better care of the military property of this State with the means at his disposal.

LELAND STANFORD.

Subscribed and sworn to before me, this fourth day of April, A. D. eighteen hundred and sixty-four.

[STAMP.]

PRESCOTT ROBINSON,
Notary Public.



[J]

John Schade, of Sacramento City, having been duly sworn, deposeth and says :

That he has served in the capacity of State Armorer since eighteen hundred and fifty-four; that General Kibbe has at all times, and under all circumstances, been most watchful of the ordnance and ordnance stores on hand at different periods, cautioning me almost weekly upon the matter; that for a period of several months, when it was found that there might be an uprising in this State, I was not only ordered to keep an armed watchman about the Armory at night, but that General Kibbe would nightly, between ten and twelve o'clock P. M., visit the vicinity of the Armory to see if there were any suspicious movements about there. That I am certain that General Kibbe could not have expected the battery of guns on the twelfth ultimo to arrive in Sacramento, he having told me that the same would be issued direct from the Benicia Arsenal to the companies for which they were intended, viz: at San José and Marysville; and further, General Kibbe in all cases, after having ordered arms to be brought to Sacramento, always notified me of the same, in order that I might be prepared to receive them, with instructions that should they come on Sunday they must be stored in the Arsenal immediately. In the year eighteen hundred and fifty-six, during the activity of the Vigilance Committee in San Francisco, General Kibbe telegraphed to me to secure the doors of the Arsenal by a steel combination padlock, and to keep a vigilant watch upon the same; that I regarded the building where the guns were destroyed as a safe and secure place to store them, and so informed the Adjutant-General; that the fastenings were sufficiently secure, which matter (being a lock and gunsmith) General Kibbe generally defers to my opinion. Also, that on the morning of the twelfth of March, at about eight o'clock, I met General Kibbe at or near the office of Wells, Fargo & Co., in this city, and told him that there were a lot of cannon on the levee marked to him; he replied, "That can't be so, they are probably for the general Government." I said, "No, your name is on the boxes which the drayman brought up." He then remarked his surprise that they should have been sent here without his orders; said he did not want them here—had no

place to store them, and told me to start immediately, and, if possible, find a secure place for them.

JOHN SCHADE.

Subscribed and sworn to before me this fourth day of April, eighteen hundred and sixty-four.

[STAMP.]

PRESCOTT ROBINSON,
Notary Public.



[K]

SACRAMENTO, April 2d, 1864.

To the Honorable the Members of the Assembly of the State of California :

GENTLEMEN :—I find in the "Sacramento Union," of April first, eighteen hundred and sixty-four, a report, signed by a majority of the Joint Committee of the Senate and Assembly appointed "to inquire into the cause of the destruction of a battery of seven guns by fire, on the night of the fourteenth of March, in Sacramento."

As the majority report contains various false statements, calculated to injure me in the estimation of my fellow-citizens, I beg leave to notice and correct these erroneous statements in the order in which they are set forth by the committee.

As to the first and second clauses of the committee's report, I have nothing to say. The third clause reads as follows :

"*Third*—That when they arrived here the guns and caissons were put into a building without proper fastenings, one door being tied with a hay rope, and very easily pulled open, and that no inquiry was made into the character and sentiments of the man who had the custody of the keys and care of the building ; that no guard or watch was put over the property."

In relation to the above clause of the report, I have to state that there were strong locks on both doors, and that both were found locked after the commencement of the fire by a man in my employ, who made his way to the building as rapidly as possible after the cry of fire, with the keys in his possession. There was a rope fastening on the inside of one of the doors, but this rope, instead of being the *only* fastening, as stated by the committee, was in addition to the lock on the outside.

The fourth clause of the committee's report reads as follows :

"*Fourth*—The man who had the lease of the building, and of whom General Kibbe rented, who had the care and custody of it after the guns were stored there, is a well known secessionist."

In reply to this allegation of the committee, I have to state that I am not now, and never was, a secessionist. If the statement of the com-

mittee that I am "*a well known secessionist*" is founded upon testimony taken before them, under oath, I have only to declare that the man who so stated perjured himself.

The fifth clause of the report of the committee reads as follows :

*"Fifth—*This man (R. L. Robertson) had not more than seven or eight tons of hay of his own in the building ; that in all there were no more than thirty or forty tons ; that Robertson was insured for eight hundred dollars."

It is true that I had at the time of the fire but about five tons of hay in the building, and that it was insured ; but it is also true that I have for two years past stored hay in the building in question, at times have had as much as one hundred tons in it, every ton of which was insured as soon as possible after stored. For proof that I have for two years stored hay in said building, and that every ton of it was insured immediately after so stored, the members of the Assembly are respectfully referred to the owners of the building, Messrs. Clark & Cox, and to Messrs. William G. English and A. C. Sweetzer, Insurance Agents, residents of this city.

The sixth clause of the committee's report reads as follows :

*"Sixth—*That after the fire was discovered a portion of the guns might have been saved, had not Robertson stated that he did not know but there was powder in the building, thus frightening the people away."

This, the sixth statement of the committee, is utterly false. I arrived at the door of the building which contained the battery just as the man in my employ had got it unlocked. I immediately informed those around me that the guns were in the building, and were so near to the door that I thought they could be saved by a little effort, and requested them to aid me. At this moment a man, unknown to me, cried out "There is powder in the building." This I denied stoutly, stating that I did not believe that General Kibbe would have put powder in the building without informing me. I followed the retreating crowd, assuring them that I did not believe there was powder in the building. And I now repeat that the sixth allegation of the committee is untrue, and if founded upon testimony given before them, under oath, the man who so testified swore to what is false.

The seventh clause of the committee's report reads as follows :

*"Seventh—*The committee have no doubt but that the fire was the work of some secessionist, kindled by placing the camphene on the gun carriages, with hay thrown over them, and perhaps also on the roof of the building."

In relation to this allegation of the committee, I will state that the building, and all it contained on the night of the fire, was owned by men who, I have been informed, have heretofore voted with the Democratic party. With the committee, I think that the fire was the work of an incendiary, and I moreover believe that the object of the villain was not the destruction of the guns, but the destruction of the hay, believing that it all belonged to me.

In conclusion, and as a simple act of justice, I respectfully request the

publication of this communication in connection with the report of the committee.

Your fellow-citizen,

R. L. ROBERTSON.

Sworn to and subscribed before me, this second day of April, eighteen hundred and sixty-four.

JAMES COGGINS,
Justice of the Peace.



REPORT

OF THE

Senate Committee on Elections,

IN THE

CONTESTED ELECTION CASE.

RAMIREZ vs. HAMILTON.

O. M. CLAYES.....STATE PRINTER.

R E P O R T.

MR. PRESIDENT :—Your Committee on Elections, to whom was referred the petition of F. P. Ramirez, who contests the seat of the Hon. Henry Hamilton, as Senator from the Second Senatorial District, beg leave to submit the following statement, as their findings of the facts from the evidence which has been presented to them, leaving the Senate to draw their own conclusions as to the rights of the parties established thereby.

The statutes provide that a person contesting the seat of a member of the Legislature shall, within twenty days after the issue of the certificate of election, file with the Clerk of the District Court in which the alleged cause or causes of contest originated, a concise statement of the ground on which he intends to rely, verified by affidavit. That immediately upon the filing of such statement the Clerk shall appoint a Commission, to be composed of two Justices of the Peace of his county, to meet at a time and place to be specified, not less than twenty nor more than thirty days from the issuing of the same, for the purpose of taking the depositions of such witnesses as the parties to such contest shall wish examined. It also provides that written notice shall be served upon the person whose election is contested, specifying the time and place of taking depositions, before whom they are to be taken, and also a copy of the statement containing the grounds upon which the Contestant intends to rely.

All these requirements of the law appear to have been complied with, and no exceptions have been taken to the proceedings by either party up to the time of the meeting of the Commission.

As notice and statement was filed by F. P. Ramirez with the County Clerk of Los Angeles County, on the twenty-first of November, eighteen hundred and sixty-three, that date being within the prescribed limits, a Commission was appointed by the County Clerk, and due notice was given to the Respondent, on or before the twenty-fifth of the same month, said Commissioners to meet at the City of Los Angeles on the nineteenth day of December, eighteen hundred and sixty-three—just thirty days from the date which appears upon the statement filed by the Contestant, but also just within the time specified by law.

The grounds upon which, by that statement, the Contestant claims a seat upon this floor are :

First—That the Respondent is ineligible, being a citizen of Ireland,

and a subject of the kingdom of Great Britain, and not a citizen of the United States.

Second—That the Respondent is disloyal; that he has on various occasions, and at different times, expressed himself in favor of and friendly to the existing rebellion against the authority of the United States.

Third—That illegal votes were polled for the Respondent at different precincts in the County of Los Angeles.

Fourth—That the election was illegally held and conducted at different precincts in the County of Los Angeles.

Fifth—That had the Board of Supervisors of Los Angeles County proceeded according to the provisions of the statutes of the State, there would have been as many as two hundred and fifty additional Union votes in Los Angeles County, thereby giving the Contestant, F. P. Ramirez, two hundred and fifty more votes than were cast for him at the late election in said county.

Sixth—That the Board of Supervisors acted illegally in refusing to appoint Inspectors and Judges in two precincts in the county where, one year before, there had been precincts, and in consequence of such refusal and neglect no elections were held at said precincts.

Seventh—That the Board of Supervisors acted illegally in refusing to appoint Inspectors and Judges of Elections, as petitioned for by the citizens of the Island of Santa Catalina, El Paso, and Soledad, in said county, and in consequence of such refusal and neglect, no polls were opened or elections held at said precincts.

Eighth—That said Board appointed an alien as Inspector for the Precinct of San Fernando, and then annulled the election because the said Hamilton was badly beaten in that precinct.

Ninth—That the said Board of Supervisors acted illegally in appointing an alien as Inspector for the Precinct of Santa Anna, and would not annul the returns when the said Hamilton, or his associate, caused to be polled as many as seventy-five or eighty illegal votes in said precinct.

Tenth—That the Board of Supervisors, knowing that the citizens residing in the precincts of Santa Catalina Island, El Paso, Soledad, lower and upper mining precincts in San Gabriel Cañon, were nearly all Union men, refused and neglected to acknowledge the rights of said voters, in order to defeat the Union ticket.

Eleventh—That the Respondent did not receive a majority of the legal votes of the County of Los Angeles at the late election.

This statement was sworn to and signed on the nineteenth day of November, eighteen hundred and sixty-three.

If we classify the above charges, we find that they are reduced to five in number, and are :

First—That the Respondent is not a citizen;

Second—That he is disloyal;

Third—That his majority was composed of illegal votes;

Fourth—That the election was conducted illegally in various precincts; and,

Fifth—That the Supervisors failed to perform their duty, thereby defeating Contestant.

There is also another charge made, not against the Respondent, or even in respect to the election, but against the Commissioners; this charge is made by affidavit, and is, that the Commissioners, after meeting upon

the nineteenth day of December, as provided for in their commission, refused to allow Contestant to have eleven of his witnesses examined on that day, or within a reasonable time thereafter, thus compelling him to lose their evidence or to have their depositions taken elsewhere, which, he having done, and asked to have them made a part of the evidence in the case, was refused by them; and, also, that the said Commissioners used every exertion to hinder, delay, and defeat the just rights of the Contestant, and to aid, assist, and advise the Respondent, to the great damage of the Contestant, and in direct violation of their sworn duties as Commissioners appointed to take all of the evidence which might be presented in the case, without partiality or favor.

As to the first charge—that the Respondent is not a citizen of the United States, but a citizen and subject of Great Britain—there was no evidence presented, with the exception of the affidavit of the Contestant, and your committee did not feel called upon to investigate a charge thus gratuitously made.

As to the second charge—"disloyalty"—your committee had presented to them a file of a certain newspaper, called the *Los Angeles Star*, a paper published at the City of Los Angeles, with dates ranging from December, eighteen hundred and sixty, to November, eighteen hundred and sixty-three—a period of nearly three years. There is no name advertised as Editor, but the name of Henry Hamilton appears as Publisher, and is the only one that does appear as having anything to do with the conduct of the paper.

From these papers we make the following extracts :

"To consider the state of affairs consequent on a disruption of the Union is a subject too painful to contemplate. But in such an event—which may God forbid—the position and policy of California are such as require deep and careful study. A republic on the Pacific has been again mooted, and nowhere have we heard it discountenanced or disapproved of.

"Still South Carolina stands in an attitude of defiance. The meeting of Congress bringing members together, will no doubt be taken advantage of for consultation among the Democratic Senators and members, which will lead to a peaceful and happy result.

"We perceive that, in case the worst comes, the idea of a Pacific Republic gains ground."—*Star*, December 15, 1860.

"We are on the highway to and from the South. Our emigration comes from the South; our population are of the South and sympathize with her. Why, then, should we turn our backs on our friends, and join their enemies to invade, impoverish, and despoil them?

"The question of an independent republic is a very serious consideration. The population of California is small, and the question of her ability to support her share of an independent republic is one which must not be overlooked. The people of these southern counties have voted time and again to be disconnected from the State Government, on account of the burdensome taxation. In case of an independency, these counties might be set apart as a Territory of the Pacific Republic, or if the people prefer it, they might seek admission as a Territory of the Southern Republic." (!)—*Star*, January 5, 1861.

"At all events, if secession spreads, we hope there will be no attempt at coercion. It cannot drive States into a Union, which by the act of force and victory, would be merely held as conquered provinces, ready to break out in revolt and rebellion on all occasions, and on every opportunity. This cannot be. It is repugnant to all ideas of a Democratic Republic."—*Star*, February 2, 1862.

"THE SOUTHERN CONFEDERACY.—Elsewhere will be found the Inaugural Address of President Davis, of the Southern Confederacy. It is a calm and able document. The Confederacy is a fixed fact; a Provisional Government has been formed. The separation of the Union is complete. These six States, being one in interest, are closely allied—in fact, are a homogeneous people—and, having proclaimed their independence, declare that, with the blessing of Providence, they intend to maintain their present condition. For long years the South has protested against the action of the North, and every contest has ended in a 'compromise' disastrous to her interests and subversive of her policy; her appeals to the Constitution, as her great bulwark of right, were laughed at; her entreaties to be let alone, and her solemn and oft-repeated warnings of the inevitable result of this injustice and oppression were unheeded. At last the evil day has come. Patience has ceased to be a virtue.

"The fanaticism of the North has effected what the combined powers of the world could not accomplish. Much as we deplore the disruption of the Union, we cannot but admit that the South, if she could not have her rights in it, is justified in maintaining them out of it. All the Southern statesmen assert they are acting merely in self-defence, on the principles promulgated by the Revolution, and they are only carrying out the American idea, 'the rights of the people to alter and abolish Governments whenever they become destructive of the ends for which they were formed.' They could not be secured in the enjoyment of their rights and property while in the Union, so they seek protection under a Government of their own framing. How this will be looked on at Washington by the Administration of Mr. Lincoln, is the all-important question at present. How will he regard the Congress, the President, and people of the Confederate States of America? He finds an independent Government in existence—will he at once acknowledge it, or endeavor to overturn it by coercion or physical force? * * * * * From present appearances and the declaration of the President, all idea of a reconstruction of the Federal Union is at an end. These seceded States are pledged to maintain the position they have taken—the action of the Peace Congress and the Union-savers to the contrary notwithstanding."—*Star*, March 16, 1861.

"But is it not too late? Has not the patience of the South ceased in their eyes to be a virtue? Have not the indignities, wrongs, and outrages of sectionalism so worked upon their honor as to smother the love of Union, and cause them to rise in the majesty of an outraged people and assert, by force, if needs be, their just and legitimate rights? This course they have adopted. Seven States have declared themselves absolved from all allegiance to the Union, and endowed with absolute sovereignty. Can they, by coercion, under the Federal Constitution, be brought back to loyalty to the Union? Assuredly not: for the power cannot be claimed upon any other hypothesis than implied; and as one of the provisions of that instrument is that all powers not expressly granted are reserved to the States and the people, the implied power must fail, there being no express power delegated. But even suppose the power existed, would it be wise, would it be politic, to enforce it? Would you subjugate a sovereign State, abrogate her Constitution, or hold her in vassalage by stationing a military force within her bounds, awing her to obedience and closing her ports by blockade?"—*Star*, April 20, 1861.

"HOSTILITIES COMMENCED.—The intelligence which we publish to-day of the fall of Fort Sumter created in our midst, on its arrival here by telegraph on Wednesday evening last, the most profound sensation. The fate of the Union is now sealed. Reconstruction is an obsolete word in this connection. The temporizing, vacillating policy of the Border States has been checked, and the question has been brought home to them in such a manner that they can no longer shirk or evade it. They must now strike for honor, interest, or be basely dragged at the chariot wheels of the 'great North.' It is for themselves to decide. Before long the same question will press itself on us here in California. Let us consider well our position. Let us look our affairs fairly and squarely in the face—coolly and calmly discuss our resources, capabilities—the revenue paid by us in Boston, New York, Philadelphia, or New Orleans, as well as in San Francisco—and on a clear review of the circumstances take our stand. Shall we, too, strike for independence; or, like whipped spaniels, crawl at the feet of either a Southern or a Northern Confederacy? To this we must come, too, ere long."—*Star*, April 27, 1861.

"There is avowedly and confessedly in public sentiment in the East, as well as within the halls of Congress, a strong aggressive feeling to use the war power to abolitionize the Southern States—to subjugate them first, and rob them of their servants—their property—afterwards."—*Star*, February 1, 1862.

"Let the Confiscation Act and the other contemplated measures of the Radicals come into operation, the laborers in the South be freed from the oversight of their masters, and thrown upon the country for protection and support, without any to care or provide for them, and what will be the result? Just what the Abolitionists want—the destruction of the South, her cities, her agriculture, her commerce."—*Star*, June 7, 1862.

"Now, the people of the Southern States, believing that a 'long train of abuses and usurpations' by the people of the other States, 'pursuing invariably the same object,' had most unmistakably 'evinced a design to reduce them under absolute despotism,' concluded the time had arrived for them to throw off such Government, and to provide 'new guards for their future security.' In all peacefulness, in all submission to the provisions of the Constitution, they sought long and earnestly the protection guaranteed by the Constitution. It was denied them. All attempts to procure the enactment of compromises conceived in the spirit of the Constitution were frustrated. What was left for them? What but to submit to the 'absolute despotism' of the North, or to resist? They did resist, and the inherent right of self-government is again being asserted. It is success which changes the action of the people from a stigmatized 'rebellion' to a glorious 'revolution.' * * * * * The Union has heretofore been supposed to be an association of sovereign States, for mutual benefit and protection. It will henceforth present the relation of the conqueror and his vassal. 'The Union of hands, the Union of hearts'—a burlesque."—*Star*, July 5, 1862.

"Where else in the nineteenth century would such usurpation and tyranny be tolerated? It is obvious that every man in the community now holds life, liberty, and property at the mercy and mere volition of military despots—that the Government has been so completely revolutionized under Black Republican rule that it has ceased to be a Government of Constitution and laws, and has degenerated into worse than Oriental despotism."—*Star*, August 23d, 1862.

"It might be interesting to stop and inquire what this is all for? To repress and depress the white man; to cultivate and elevate the colored man. For this, we find, now, Government has been instituted and perpetuated, and for this purpose is the white race being decimated."—*Star*, September 20, 1862.

"The President has turned over to the Abolitionists not only the policy of the Cabinet, but the command of the army. He is resolved that the whole machinery of Government shall be perverted from the reconstruction of the Union and the enforcement of the Constitution to the emancipation of slaves. He is prepared to lend all his energies to the creation of servile insurrection in the Southern States. The Constitution requires the Government to suppress servile insurrection; but the President is engaged in the humane and benevolent work of stirring it up as a means of destroying and despoiling the South."—*Star*, December 22, 1862.

"It is a disgrace to the American people that they should have elected to the Presidential chair a man so ill qualified for the lofty position as is Mr. Lincoln."—*Star*, December 13, 1862.

"Heretofore, certain European Governments have been looked upon as the very incarnation of the worst passions which can actuate irresponsible power in its conduct toward the helpless masses. But this can be alleged no longer. For all time to come, history will point back to the reign of Abraham Lincoln as having displayed a timidity most ridiculous, a terror most abject, a despotism most foul, a tyranny utterly regardless of all moral considerations, trampling under foot all the guarantees of a written Constitution, which he solemnly swore before God and the world to maintain, revere, and support."—*Star*, December 17, 1862.

"The rule of this Abolition faction will not be forever. It is doomed. The handwriting is discernible on the wall. But what griefs may not the country be called on to pass through during the weary years of their pernicious sway, if the people do not check their mismanagement!"—*Star*, December 27, 1862.

"THE NEW YEAR.—Of course, the feature of the season is, the day on which President Lincoln's Abolition Proclamation takes effect. By the stroke of his pen Lincoln frees every slave in rebellion—robs every master of his servant, every household of its property. Was ever such an outrage perpetrated in the name of law, or such foul perjury committed as by this man, sworn to maintain the Constitution and govern by the laws. But its impotency is as ridiculous as its audacity is flagrantly malicious. He assumes that his paper pellet is more powerful than the thunder of his artillery, the rattle of his musketry; more efficacious than his army, his navy, his boats and all."—*Star*, January 3, 1863.

"The degradation of the American people is, we think, fully accomplished. We make no comparison of our present state of affairs with that of any other people. It is unnecessary. But to compare ourselves with ourselves presents a more humiliating spectacle than was ever exhibited to the world in the history of any people, in the brief space of two short years. * * * * There remains to us to-day not one particle of political freedom. We are conquered, cast down, trampled upon. Our boasted freedom is a taunt, a burlesque on our actual degradation. To protest is useless, while so many millions (villains?) sing hallelujahs to Uncle Abe and John Brown's soul."—*Star*, October 31, 1863.

"And yet Lincoln is honest? He whose unholy ambition has stricken down the safeguards of liberty, and who has shackled the once free limbs of Americans with chains, in the name of Union; he who said that hostilities should not be inaugurated if he could avoid it, and while the falsehood was trembling upon his lips, knew that a ship had gone down to Charleston for the express purpose of having the rebels fire on her (!); he who declaimed against emancipation, and issued a proclamation of freedom the same week. If such a man is honest, then the very word is a mockery and a shame."—*Star*, November 7, 1863.

The questions that most naturally arise in connection with this part of the investigation, are:

First—What is "disloyalty?"

Second—Is disloyalty, if proven, a sufficient reason for this Senate to declare a person ineligible or incompetent to hold a seat upon this floor?

Third—If so, do these editorial extracts prove the writer to have been disloyal?

Fourth—How far is the Publisher responsible for the editorials which appear in his paper, no evidence having been given that he wrote them? and.

Fifth—If all these questions are answered, how far should the Respondent be held responsible for sentiments entertained before he applied for his seat and took the oath of office, and does that oath purge him of all former disloyalty; and, after having taken it, does he stand upon the same footing as those who have never been estray?

These questions your committee will not argue in their report.

Upon the third charge there has been a mass of evidence presented which the committee have endeavored to analyze, and herewith present as the result of their investigations, premising it, however, by saying, that some of it was taken directly before the Commissioners, the Respondent being present, by Counsel, and cross-examining the witnesses, and a part of it being *ex parte*—the depositions of witnesses for the Contestant, not taken before the Commission or cross examined by the Respondent. The reason of this was, as appears by the affidavit of the Counsel for the Contestant, that when the Commissioners met, on the nineteenth day of December, eighteen hundred and sixty-three, they adjourned over, contrary to the wish of Contestant, from day to day, and would not examine these witnesses, they being present, and he being unable to keep them there, was compelled to take their depositions elsewhere or lose their evidence altogether. This he seems to have done, and the depositions were taken before W. G. Still, a Notary Public for the County of Los Angeles. How far, under the circumstances, these *ex parte* statements should be allowed, the Senate, in their judgment, must determine. Your committee give the facts as presented before the Commission, and also those facts as modified by the *ex parte* testimony.

From the certificate of the County Clerk of the County of Los Angeles it appears that in the various precincts of that county H. Hamilton received nine hundred and twenty-two votes for Senator; F. P. Ramirez received seven hundred and sixty-one votes, and three additional votes cast by soldiers, making seven hundred and sixty-four votes; giving Henry Hamilton one hundred and fifty-eight majority.

It is complained by the Contestant that the Board of Supervisors failed to perform their duty in not appointing Election Precincts in several places where in years before there had been precincts appointed and polls held, to wit: Soledad, Santa Catalina Island, El Paso, upper and lower mining precincts of San Gabriel Cañon, and if the Board of Supervisors had so appointed precincts the Contestant would have received a much larger vote. That the Supervisors should have appointed a precinct at Santa Catalina Island, as petitioned for by the citizens thereof, we are clearly of the opinion, and possibly at El Paso, and some of the others named; but as they did not, and as the citizens thereof failed to exercise their right to assemble together and hold an election, we do not see how it can now be rectified. Had they done so, and sent their returns to the Clerk of the Board of Supervisors, and they had rejected them, then the Contestant could have presented something tangible upon which to base his assertion that "through the refusal and neglect of the Board of Supervisors he had been deprived of two hundred and fifty votes." Such a complaint as is here presented might be a good reason why the Board should not be elected again, but can hardly be urged as a reason for giving Mr. Ramirez a seat upon this floor.

There are some precincts about which the complaints are for illegal voting, and come in a shape which, if proved, would affect the votes of

the parties interested in this contest. These precincts are : Santa Anna, Old Mission, Azusa, and Los Angeles. In the Precinct of Santa Anna, as appears by the certificate of the Clerk, there were polled for Hamilton ninety-one votes, and for Ramirez one vote. If there had been any illegal votes polled at this precinct they must have been polled for Hamilton, if for any candidate for Senator. J. A. Sanchez swears to sixteen by name, that he knows were not voters, who voted there that day, and as a reason for knowing that they were not voters, says that they were citizens of Mexico, and he had tried to have them become naturalized, and they had told him that "while life should last they would never become citizens of the United States," and between that time and the election they had not had time to become naturalized. Andreas Pico also testifies to the same fact—that these sixteen men were not citizens or voters of the United States. There is considerable evidence as to the general opinion entertained that the vote of Santa Anna Precinct was too large, and that it was illegal; but it is not direct enough to be of any service, either for or against, and it is also offset by evidence from the Respondent's witnesses, of the same character, that it was about an average vote; but it is of little importance what the general impression was, so long as no evidence is given that can be set down in figures, either for or against the parties. But we believe that the sixteen, whose names are given and sworn to, should be excluded.

As to Old Mission Precinct—another precinct at which it is alleged that illegal votes were polled—the certificate of the County Clerk states that Mr. Hamilton received forty-five votes, and Mr. Ramirez ten votes; or, in other words, that fifty-five votes were polled there. There is considerable evidence introduced to establish the point that there were not as many as fifty-five legal votes in that precinct; but, like most of the evidence in the case in relation to illegal voting, it is too indefinite to be of any service. The evidence would lead one to believe that there had been votes cast there by persons who had no right to vote, but it does not establish it as a fact that any number of specified persons did so illegally vote, or if they did, that those illegal votes were cast for Mr. Hamilton. The enrolling officer testifies that he finds the name of one man upon the poll list who claimed alienage when he attempted to enroll him, but does not testify for whom he voted. The ballot box was taken from the place where the polls had been held, and the votes counted and returns made out at another house, but it is not shown that it was done for the purpose of falsifying the returns, or that any one was really or substantially injured thereby.

The only other precinct about which testimony was taken before the Commission is the precinct of San Fernando, which was rejected by the Board of Supervisors. One of the Clerks of the Election Board testifies that there were thirty-five votes polled at that precinct, twenty-two being polled for Ramirez and thirteen for Hamilton, being nine majority for Ramirez. He testifies that there was one illegal vote polled there, but does not say how he knows it was illegal, neither does he say for whom it was polled.

There seems to have been a change of Inspectors during the day at this precinct, and some of the bystanders objected to the last sworn Inspector signing the papers, and it was not done by him until the next day. When the returns were sent to the office of the County Clerk these returns were not sealed, neither were the ballots sent with them;

but the person who took them there, there made oath that they had not been changed since they had been in his possession, nor had they been out of his possession since he received them from one of the Inspectors; and the Clerk of the Election testifies to the actual vote of the precinct, which we think is the main fact to be established; and his sworn statement accords with the returns which were sent to the Clerk's office and rejected by the Supervisors. We think, therefore, that the vote of San Fernando Precinct should have been allowed.

These three precincts are the only ones in which it is testified before the Commission there was illegal voting. There are two other precincts complained of, but the evidence is entirely *ex parte*, and it is so for reasons set forth in the first part of this report. Those precincts are Azusa and Los Angeles.

At Azusa there were polled, according to the certificate of the County Clerk, thirty votes; seventeen of these were for Mr. Ramirez, and thirteen were for Mr. Hamilton. The Clerk of the Election testifies that there were six persons whom he knows were not citizens of the United States, who came there in the wagons of the Democratic party, received their ballots from men who were working for the success of that party, and accompanied to the polls by them, and that these foreigners deposited those ballots in the ballot box.

This is all the evidence to establish the fact that they were not citizens, and the other proposition which is sought to be proven: that they voted for Hamilton. And we wish to call the attention of Senators to this point here, because it is the same character of evidence as that which is introduced in relation to the City of Los Angeles.

The witness swears that a certain number of men were not legal voters, being foreigners; that they came to the polls in the charge of those that were laboring for the success of the Democratic party; that they received their ballots from them; and that they deposited those ballots in the ballot box. Upon this class of testimony your committee offer no opinion.

The last precinct about which complaint is made is the City of Los Angeles, and the testimony in relation to it is like the one above named, *ex parte*, and direct and positive as to numbers, but lacking the names of those that are charged as having voted illegally.

The city polled, according to the certificate of the County Clerk, seven hundred and thirty-five votes; three hundred and ninety-one of these were given for Hamilton, and three hundred and forty-four for Ramirez; being a majority of forty-seven votes for Mr. Hamilton. The depositions taken before a Notary Public of that city are nearly all alike as to the circumstances—only different as to number and time, each testifying to a specified number whom he knows to be foreigners voting at a named hour of the day, and closing with a general opinion that there were a large number of illegal votes polled for Mr. Hamilton. The substance of their depositions is as follows: B. Caqueño testifies that during the forenoon he saw ten persons whom he knew to be citizens of Mexico, come to the polls in the wagons in the employ of the Democrats, receive their votes from those that were working for the success of the Democratic party, and deposit those ballots in the ballot box.

Antonio Olives testifies to the like circumstance, only differing as to the number, not saying, however, that he is describing the same lot spoken of by Caqueño; the number which are testified to by this witness is only five.

R. Martines saw twelve foreigners—citizens of Mexico, and not legal

voters—come to the polls at eleven o'clock in the wagons in the employ of the Democrats, receive their votes from those that were working for Hamilton, and put those votes in the ballot box.

F. Ybarra saw twenty-three at ten o'clock A. M.

J. M. Urnal saw a lot numbering twenty-three at half past one P. M.

A. Sanceda saw a lot of twelve at the hour of one P. M.

F. Renteria saw a lot numbering twenty-five which came at three o'clock P. M.

These witnesses each swear that the lot to which he testifies were all Mexicans, and not citizens of the United States. And each of these also testify that they believe there were as many as one hundred illegal votes cast for Hamilton in the city.

The evidence compiled reads as follows:

F. Ybarra swears to a lot at 10 o'clock A. M., numbering.....	23
R. Martinez, at 11 o'clock A. M., to a lot numbering.....	12
A. Sanceda, at 1 o'clock P. M., to a lot numbering.....	12
J. M. Urnal, at 1½ o'clock P. M., to a lot numbering.....	23
F. Renteria, at 3 o'clock P. M., to a lot numbering.....	25
Total.....	95

Making the total number of those which are specified in such a manner that they may not be confounded with others, to be ninety-five. B. Caqueño also testifies to a lot of ten "in the forenoon," and Antonio Olives also testifies to a lot of five, but equally indefinite as to time, and as there are particular times specified at which illegal votes were cast, we have no means of discriminating between "in the forenoon" and ten o'clock; for this reason we have left out in the calculation those that are testified to have been cast "in the forenoon," and included only those that are sworn to in direct terms, and the hour mentioned.

To recapitulate: By the certificate from the County Clerk's office:

Mr. Hamilton received in the County of Los Angeles the total number of.....	922 votes.
Mr. Ramirez received.....	764 votes.
Being a majority for Mr. Hamilton of.....	158 votes.

Santa Anna as returned stands:

For Mr. Hamilton.....	91 votes.
For Mr. Ramirez.....	1 vote.
Being a majority for Hamilton of.....	90 votes.

If this should be corrected in accordance with the evidence—deducting sixteen as illegal—it would stand as follows :

For Mr. Hamilton.....	75 votes.
For Mr. Ramirez.....	1 vote.
Being a majority for Mr. Hamilton of.....	74 votes.

The Precinct of San Fernando, which was rejected, as the Committee think without cause, gave :

For Mr. Hamilton.....	13 votes.
For Mr. Ramirez.....	22 votes.
Being a majority for Mr. Ramirez of.....	9 votes.

At the precinct of Azusa, according to the returns :

Mr. Hamilton received....	13 votes.
Mr. Ramirez received.....	17 votes.
Being a majority for Mr. Ramirez of.....	4 votes.

By rejecting the six illegal votes which were cast for Mr. Hamilton, it would stand as follows :

For Mr. Hamilton.....	7 votes.
For Mr. Ramirez.....	17 votes.
Being a majority for Mr. Ramirez of.....	10 votes.

The returns from the City of Los Angeles gave :

Mr. Hamilton.....	391 votes.
Mr. Ramirez.....	344 votes.
Being a majority for Mr. Hamilton of..	47 votes.

If corrected in accordance with the evidence presented, it would stand as follows :

Mr. Hamilton.....	296 votes.
Mr. Ramirez.....	344 votes.
Being a majority for Mr. Ramirez of.....	48 votes.

In the evidence for the Respondent it is admitted that at least twelve votes were cast for Mr. Hamilton by persons not qualified electors; but it is also claimed that a large number of illegal votes were also cast for Mr. Ramirez, but as they are not specified either by name, number, or time, we have taken no notice either of the twelve for Mr. Ramirez, or the "large number" which was cast against him.

The majorities, then, as figured up, would stand as follows:

Precincts.	Votes.	Votes.
Majority for Mr. Hamilton, as certified by the County Clerk.....	.....	158
Deduct for Santa Anna Precinct.....	16	
Deduct Mr. Ramirez's majority in the Precinct of San Fernando.....	9	
Deduct from Los Angeles Precinct.....	95	
Deduct from Azusa Precinct.....	6	
Total deductions.....	126	
Which would leave a majority for Mr. Hamilton of.....	32	
	158	158

From this we conclude that the charge in the statement of Mr. Ramirez that "Mr. Hamilton did not receive a majority of all the legal votes cast at the late election in the County of Los Angeles," has not been established by the evidence which has been presented to the committee.

Whether or not Mr. Hamilton is a qualified voter of the County of Los Angeles, and eligible to a seat upon this floor, we leave to the consideration and determination of the Senate. The question of loyalty, as one of the necessary qualifications of a member, is comparatively a new one, but few cases ever having arisen in which it has been discussed; the most prominent, however, being those of Senator Bright of Indiana, and Stark of Oregon, to which we would refer members before coming to any conclusion upon this point.

All of which is respectfully submitted.

W. H. LEONARD,
GEORGE PEARCE,
R. C. GASKILL.





TESTIMONY AND DOCUMENTS
IN THE
CONTESTED ELECTION CASE
OF
RAMIREZ vs. HAMILTON.

O. M. CLAYES.....STATE PRINTER.

PETITION OF F. P. RAMIREZ.

SACRAMENTO, December 8th, 1863.

To the Honorable the Senate of the State of California :

The undersigned, your petitioner, respectfully represents that at the last election he was duly elected Senator to represent the County of Los Angeles, and he prays your honorable body to secure an investigation of his claim to the seat now improperly held by H. Hamilton.

F. P. RAMIREZ.

NAMES OF WITNESSES.

In the matter of F. P. Ramirez vs. H. Hamilton.

STATE OF CALIFORNIA, }
County of Los Angeles. }

A TRUE LIST

*Of the names of the Witnesses who appeared and testified before the Commission,
and made Affidavit on the part of Ramirez vs. Hamilton.*

Antonio Sanceda.
Filomen Ybarra.
Balantin Caqueño.
Antonio Olives.
Rafael Martinez.
José Maria Vernal.
Felisiano Reteria.
J. M. Laborin.
E. S. Roberts.
S. B. Cox.
J. S. Toffelmier.

William Moore.
N. A. Potter.
P. D. Green.
W. G. Still.
D. B. Nichols.
J. Tibbets.
P. Tibbets.
J. Beckman.
J. A. Sanchez.
Andres Pico.

I hereby certify that the foregoing list is a true list of witnesses whose depositions are supposed to be sent to the State Senate of the State of California.

PAUL R. HUNT,
Attorney for Ramirez.

NOTICE OF CONTEST.

To Henry Hamilton :

SIR :—You are hereby notified that I shall contest your right to a seat in the next session of the Legislature of this State as a member of the Senate from the County of Los Angeles, and shall depend upon the following grounds in support of said contest :

That you are not eligible to said office, being a citizen of Ireland, and a subject of the Kingdom of Great Britain, and not a citizen of the United States of America.

On the grounds of disloyalty—that you have, on various occasions, and at different places, expressed yourself friendly to and in favor of the existing rebellion in the United States.

That illegal votes were cast for you at different precincts in Los Angeles County.

That the election was illegally held and conducted at different precincts in said County of Los Angeles.

That had the Board of Supervisors of the County of Los Angeles proceeded according to the provisions of the statutes of this State, there would have been as many as two hundred and fifty additional Union votes cast in said Los Angeles County, thereby giving to this complainant, F. P. Ramirez, two hundred and fifty more votes than were cast at the late election in said county.

That the Board of Supervisors of the County of Los Angeles acted illegally in refusing to appoint Inspectors and Judges of Elections in San Gabriel Cañon, in said County of Los Angeles, where, one year ago, there were two precincts, known as the Upper and Lower Mining Precincts ; and, in consequence of such refusal and neglect, no election was held in said precincts.

And that the said Board of Supervisors further acted illegally in refusing to appoint Inspectors and Judges of Elections, as petitioned for by the citizens of the Island of Santa Catalina, El Paso, and Soledad Precincts, in said County of Los Angeles ; in consequence of such refusal and neglect there were no polls opened, nor elections held, in said precincts.

And that the said Board of Inspectors knowingly appointed an alien as Inspector for the Precinct of San Fernando, and then annulled the election returns, because the said Henry Hamilton was badly defeated in said precinct.

And that the said Board of Supervisors acted illegally in appointing an alien for the Santa Ana Precinct, and did not annul the election returns, because the said Henry Hamilton and his associates caused to be voted as many as seventy-five or eighty illegal votes in said precinct.

That the said Board of Supervisors, knowing that the citizens residing

in the following precincts, to wit: Santa Catalina Island, El Paso, Soledad, Lower and Upper Mining Precincts in San Gabriel Cañon, were nearly all Union voters, refused and neglected to acknowledge the rights of said voters in aforesaid precincts, in order to defeat the Union ticket and to elect the Democratic ticket.

That you did not receive a majority of the legal votes of the County of Los Angeles cast at the late election.

For all which said reasons, I shall contest your right to a seat in the next Legislature as a Senator for the County of Los Angeles.

Yours,

F. P. RAMIREZ.

STATE OF CALIFORNIA, }
County of Los Angeles, } ss.

F. P. Ramirez, being duly sworn, says that he has read the foregoing statement, and knows the contents thereof, and that the same is true to the best of his knowledge and belief.

F. P. RAMIREZ.

Subscribed and sworn to before me, this nineteenth November, A. D. eighteen hundred and sixty-three.

W. G. STILL,
Notary Public.

(Indorsed:)

"In the matter of the Contest of Election, F. P. Ramirez with H. Hamilton.

"Contest.

"Filed November 19th, 1863. JOHN W. SHORE, Clerk; by JOSEPH HUBER, Jr., Deputy."

NOTICE TO H. HAMILTON.

STATE OF CALIFORNIA, }
County of Los Angeles. } ss.

To Henry Hamilton, Esq.:

You are hereby notified that one F. P. Ramirez did, on the nineteenth day of November, eighteen hundred and sixty-three, file with the undersigned, the Clerk of the District Court in and for said county, a statement of the grounds on which he intends to rely in contesting your election to a seat in the Senate of the State of California, and that a commission is duly issued to Benjamin S. Eaton and John D. Woodworth, two Justices of the Peace of the county aforesaid, and that they will meet at my office in the City and County of Los Angeles on Satur-

day, December nineteenth, eighteen hundred and sixty-three, at ten o'clock A. M., for the purpose of taking the depositions of such witnesses as the parties to such contest may wish to examine.



In testimony whereof, I hereunto set my hand and affix the seal of the District Court, this twenty-third day of November, A. D. eighteen hundred and sixty-three.

JOHN W. SHORE, Clerk.

By JOSEPH HUBER, Jr., Deputy.

SHERIFF'S OFFICE,
Los Angeles County. }

I hereby certify that I received the within notice on the twenty-fourth day of November, A. D. eighteen hundred and sixty-three, and that I served the same on Henry Hamilton on the twenty-fifth day of November, A. D. eighteen hundred and sixty-three, by personally delivering to him, at the City and County of Los Angeles, a true copy hereof, together with a certified copy of the grounds of contest in said case, dated November twenty-seventh, A. D. eighteen hundred and sixty-three.

T. A. SANCHEZ, Sheriff.

By A. J. KING, Under Sheriff.

(Indorsed :)

"In the matter of the contest of election. F. P. Ramirez vs. Henry Hamilton.

"Notice to H. Hamilton. Filed November 27th, 1863. JOHN W. SHORE, Clerk; by JOS. HUBER, Jr., Deputy."

APPOINTMENT OF COMMISSIONERS.

STATE OF CALIFORNIA,
County of Los Angeles, } ss.

The People of the State of California to Benjamin S. Eaton and John D. Woodworth, two Justices of the Peace of the county aforesaid, Greeting :

Wherefore, on the nineteenth day of November, A. D. eighteen hundred and sixty-three, a statement was filed with the undersigned, the Clerk of the District Court of the county aforesaid, by one F. P. Ramirez, who desires to contest the election of Henry Hamilton, Esq., to a seat in the Senate of the State of California, containing the grounds on which he, the said Ramirez, intends to rely in said contest ;

Now, therefore, in confidence of your prudence and fidelity, you are

hereby appointed Commissioners, to meet at my office in the City and County of Los Angeles, on Saturday, December nineteenth, eighteen hundred and sixty-three, at ten o'clock A. M. of said day, for the purpose of taking the depositions of such witnesses as the parties to such contest may wish to examine.



In testimony whereof, I hereunto set my hand and affix the seal of the District Court, this twenty-third day of November, A. D. eighteen hundred and sixty-three.

JOHN W. SHORE, Clerk D. C.
By JOSEPH HUBER, Jr., Deputy.

SHERIFF'S OFFICE,
Los Angeles County. }

I hereby certify that I received the within notice on the twenty-fourth day of November, A. D. eighteen hundred and sixty-three, and that I served the same on the twenty-fifth day of November, A. D. eighteen hundred and sixty-three, by personally delivering to Benjamin S. Eaton and John D. Woodworth a true copy hereof, at the City and County of Los Angeles.

Dated this twenty-seventh day of November, A. D. eighteen hundred and sixty-three.

J. A. SANCHEZ, Sheriff.

By A. J. KING, Under Sheriff.

(Indorsed :)

"In the matter of the contest of election of F. P. Ramirez vs. Henry Hamilton.

"Filed November 27th, 1863. JOHN W. SHORE, Clerk; by JOSEPH HUBER, Jr., Deputy."

TESTIMONY FOR CONTESTANT.

COUNTY OF LOS ANGELES, }
State of California. } ss.

TESTIMONY OF PAUL R. HUNT.

Paul R. Hunt, being first duly sworn, makes oath and says:

That on the fourteenth day of March, A. D. eighteen hundred and sixty-four, at two o'clock p. m. of said day, at the City and County of Los Angeles, a telegraph dispatch was presented to me by the Telegraph Agent here at Los Angeles, which is in words and figures as follows, to wit:

"SAC. CITY, 14th March, 1864.

"To P. R. HUNT:

"Send certified copies of testimony and indictment against Woodworth.

"(Signed:)

F. P. RAMIREZ."

In answer to which, I reply, under oath, that after receiving the above dispatch I applied to the County Clerk of Los Angeles County for a copy of an indictment that was found by the Grand Jury of Los Angeles County against J. D. Woodworth, late Justice of the Peace in said City of Los Angeles, for criminal conduct as a Commissioner in taking the testimony in the matter of F. P. Ramirez vs. H. Hamilton, in the State Senate of California. Said County Clerk of the said County of Los Angeles replied to me that it would be ready in the space of an hour. When I returned for the said certificate, the County Clerk replied that he would not furnish me with these proofs, although he acknowledged they were on file in his office. I then tendered the County Clerk his fees for making out the required papers, and he asked three hours to consult an Attorney, and look up law. I returned at a little before five o'clock, and he absolutely refused to give a copy.

I hereby certify, under oath, that I, Paul R. Hunt, at the sitting of the late Grand Jury of Los Angeles County, in this month of March, I complained of J. D. Woodworth, Justice of the Peace in the City and County of Los Angeles, and said State, of criminal conduct as Commis-

sioner in taking testimony in the contested election case of F. P. Ramirez vs. H. Hamilton to a seat in the State Senate. Volney E. Howard, District Attorney, and Counsel for the said Hamilton, a day or two after I was before the Grand Jury, told me that the Grand Jury found a bill against the said J. D. Woodworth. Subsequently, when the Court met, I heard the case called, and the County Judge asked why the arrest had not been made, to which the Clerk replied there was a bench warrant made out in his office. The County Judge ordered the arrest. I further certify that this said J. D. Woodworth is the identical person whose name is signed to the testimony now at Sacramento in the matter and evidence of F. P. Ramirez vs. H. Hamilton, as Commissioner to take said testimony, and that there is an indictment against the said J. D. Woodworth on file, as heretofore set forth. And further I sayeth not.

PAUL R. HUNT.



Subscribed and sworn to before me this fifteenth day of March, A. D. eighteen hundred and sixty-four, at the City and County of Los Angeles, State of California.

[STAMP.]

W. G. STILL,
Notary Public.

In the matter of F. P. Ramirez vs. H. Hamilton.

Now comes F. P. Ramirez, by his Attorney, and excepts to all the testimony offered by the said Hamilton, on the grounds of disloyalty—none of the witnesses were willing to take the oath of allegiance, as was required.

Second—The Attorney for Ramirez was denied the right of a full examination, or the right to cross question witness Tomas Sanchez, and the Commission refused to note the objections made by this said Attorney.

Third—The defence utterly refused to allow the Attorney for Ramirez to cross question the witness — Parrish, who attempted to prove that there was no evidence of fraud at the Old Mission Precinct, by a statement of what the vote of the El Monte was some seven years ago. Had said witness been cross questioned, he would have had to testify that the Old Mission and El Monte was covered by a Spanish grant, and that since then there has been a patent issued by the United States and ejectment made, and that country is nearly all depopulated to what it was at the time this said witness attempts to prove a vote.

Fourth—The Justices who composed the Board of Commission did not proceed according to law, but were biased, one sided, sought to intimidate by threats, and unbecoming, vulgar, profane language disgraced the high office they were filling. Said Justices attempted to shut out all testimony for the Contestant, Ramirez, and then undertook, on the part of Hamilton, to aid, assist an untruthful representation of the proceeding in the case to favor the said Hamilton.

The said Commission, from the nineteenth of December, adjourned,

for the purpose of denying the Contestant, Ramirez, the privilege of examining his witness.

The said Commission attempted, since the nineteenth of December, to aid the Attorney for Hamilton to delay the matter until it was too late for any benefit to Contestant.

Said Commission threw away important papers in the case, and do not account for them in their minutes; and the minutes would go to show that a default had been made on the part of Ramirez in filing them. Said papers were properly filed, or offered to be filed.

PAUL R. HUNT,
Attorney for Ramirez.

In the matter of F. P. Ramirez contesting the right of H. Hamilton to a seat in the State Senate.

COUNTY OF LOS ANGELES, }
State of California. }

TESTIMONY OF GEORGE D. FISHER.

George D. Fisher, being duly sworn, makes oath and says, (being upon the request of Paul R. Hunt, Attorney-in-fact of the said Ramirez):

That on or about the twenty-third day of December, A. D. eighteen hundred and sixty-three, he, as Enrolling Officer of a sub-district of the County of Los Angeles, embracing therein the Township of Santa Ana, had occasion to and did call upon one Thomas Scully, (Inspector of the Election at Santa Ana Precinct at the late election in which the said F. P. Ramirez and the said Hamilton were candidates for State Senators,) for assistance in my official career, and to inspect the poll list of said election. Said poll list was shown to me willingly, but upon inquiry there were not more than one half of the persons on the said poll list could be found. I asked him why? He told me they were men who came to-day and went to-morrow, and no one knew where they lived. In examining the poll list particularly, I came to the name of Francisco Alvarez, who, Scully told me at the time, ought not to be enrolled, although a servant of his, the said Scully; he, the said Francisco Alvarez, had voted at this said election, and to his own knowledge was not a citizen of the United States. In reply to other questions relative to the same matter, Scully only said that the cause of there being so many illegal votes there was that there was no one there to challenge their votes.

This affiant further says he was called to testify before the Commission to take testimony, and accordingly appeared and waited one afternoon and a part of the next day, and after thus waiting, my business was such that I deemed it necessary to attend to my official duty; and on my return, after being absent a number of days, the Commission had closed, and by request I have made this my deposition.

GEO. D. FISHER.

Sworn to and subscribed before me this nineteenth day of January, A. D. eighteen hundred and sixty-four.

O. MORGAN, Notary Public
In and for the County of Los Angeles, State of California.

In the matter of F. P. Ramirez vs. H. Hamilton.

COUNTY OF LOS ANGELES, }
State of California, }

Now comes F. P. Ramirez, by his Attorney, and most respectfully moves the Commission before whom this matter is now pending—J. D. Woodworth and B. S. Eaton—that Tomas Sanchez, a witness now testifying, be required by the aforesaid Commission to take the oath of allegiance, as now required by the President of these United States of America, Abraham Lincoln, and the laws of Congress of these United States of America, and the laws of the State of California, before signing his (Sanchez's) name to said testimony, and before said testimony be filed and made a part of the defence in this case, on the grounds of disloyalty; and that the defence be required to take the said same oath; and that no written evidence on the part of the defence be filed or made a part of this case that has not met or conformed, or is willing and does conform, to the aforesaid oath, as in this motion demanded.

F. P. RAMIREZ.

By his Attorney, PAUL R. HUNT.

Paul R. Hunt, first being duly sworn, makes oath and says, that at the time the party on the part of H. Hamilton produced testimony in the case of Ramirez vs. H. Hamilton, to be written down as testimony for the said Hamilton, this Attorney, on the part of Ramirez, moved the Commission, or objected to any testimony being taken, unless the party who produced the testimony take the oath of allegiance, and also the witness; and one of the Justices sitting as said Commission, J. D. Woodworth, replied in the following vulgar, profane, and insulting language: "You can stick your motion up your God damned arse, and if you make another motion of the kind, we will send you to the County Jail;" and B. S. Eaton, the other Justice, concurred in the same threat. The day following, I presented this within motion, and asked to have the same filed and made a part of the case; for which offence I was sentenced for contempt, and a commitment wrote out; but I was not committed. They refused to file this motion.

PAUL R. HUNT.

Subscribed and sworn to before me, this fifth day of January, A. D. eighteen hundred and sixty-four, at the City of Los Angeles, State of California.

W. G. STILL,
Notary Public.

In the matter of F. P. Ramirez vs. H. Hamilton.

COUNTY OF LOS ANGELES, }
State of California. }

Plaintiff, by his Attorney, now moves the Court, that Boliver Cox, J. S. Sanchez, Andres Pico, Juan Baustito Morano, and ——— Morano, be required to appear in the above cause, at the expense of the defence, for the reason that the defence asked and obtained adjournment from day to day, without giving security for cost or damage to the Plaintiff in this cause.

F. P. RAMIREZ.

By his Attorney, PAUL R. HUNT.

Paul R. Hunt, first being duly sworn, makes oath and says that the above motion was duly made before the Commission of J. D. Woodworth and B. S. Eaton, on Thursday, the twenty-fourth of December, and the said Board have refused to file the same, but took this said motion, and kept it three or four days, and then threw it away. It has since been presented to be filed in the foregoing case, and said Commission have utterly refused to file or receive the same as any part of said case.

PAUL R. HUNT.



Sworn and subscribed to this thirtieth day of December, eighteen hundred and sixty-three, before me, in the County of Los Angeles, California.

W. G. STILL,
Notary Public.

BOARD OF CANVASSERS, }
Tuesday, September 10th, 1863. }

In the matter of the Election Returns from San Fernando Precinct :

It appearing satisfactorily to the Board that certain papers, purporting to be election returns from the San Fernando Precinct aforesaid, have been deposited in the office of the County Clerk of Los Angeles County, not sealed up by the Board of Judges, nor properly indorsed, nor that the original ballots cast at said election in said precinct were delivered to the aforesaid County Clerk at all, as provided by law :

It is therefore ordered that said papers, purporting to be the election returns from the Precinct of San Fernando, be and the same are hereby rejected and set aside.

Whereupon the Board directed the Clerk to enter upon the records thereof a statement of the result of such election, as far as the same has been ascertained to-day by the Board of Canvassers aforesaid, which is accordingly done, as follows :

FOR SENATOR.

Precincts.	H. Hamilton.	F. P. Ramirez.
Anaheim	25	22
Azusa	13	17
El Monte	129	22
Green Meadows	5	18
La Ballona	27	12
Los Angeles	391	344
Los Nietos	22	17
Old Mission	45	10
Santa Ana	91	1
San Fernando, rejected		
San Francisquito	32	7
San Gabriel	38	37
San José	24	40
San Juan	32	5
San Pedro		180
San Pedro R., no election		
Tehachapay	45	7
Tejon	3	22
Totals	922	761

SATURDAY, October 31st, 1863.

There were three additional votes cast by soldiers added to the vote of F. P. Ramirez, which makes his vote, viz:	764
H. Hamilton	922
Majority for Hamilton	158

STATE OF CALIFORNIA, }
County of Los Angeles, } ss.

I, John W. Shore, County Clerk and ex officio Clerk of the Board of Supervisors for Los Angeles County, State of California, do hereby certify that the above and foregoing is a true, full, and correct copy of the original statement of that portion of the election returns concerning H. Hamilton and F. P. Ramirez, as the same appears on the minutes of said Board of Supervisors.

Witness my hand and seal this twenty-ninth day of December, A. D. eighteen hundred and sixty-three,



JOHN W. SHORE, Clerk.
By JOSEPH HUBER, Jr., Deputy.

STATEMENT OF VOTES

Polled at a Special Judicial Election in the County of Los Angeles, State of California, on Wednesday, the twenty-first day of October, A. D. eighteen hundred and sixty-three, for District Judge of the First Judicial District, at the Precinct of Santa Ana.

Names.	Votes.
Benjamin Hayes.....	20
Pablo De La Guerra.....	22
Total	42

STATE OF CALIFORNIA, }
County of Los Angeles. } ss.

I, John W. Shore, County Clerk and ex officio Clerk of the Board of Supervisors for Los Angeles County, State of California, do hereby certify that the above and foregoing is a full, true, and correct copy of the number of votes polled at the Santa Ana Precinct, at the judicial election held October twenty-first, eighteen hundred and sixty-three, as the same appears of record on the minutes of said Board.



Witness my hand and the seal of said County Court, affixed this twenty-ninth day of December, A. D. eighteen hundred and sixty-three.

JOHN W. SHORE,
County Clerk.

By JOSEPH HUBER, JR., Deputy.

Paul R. Hunt, being duly sworn, makes oath that he presented these within certificates of the County Clerk of the County of Los Angeles as a part of the testimony of the case of Ramirez, contesting the right of H. Hamilton to a seat in the State Senate, and the Commission of J. D. Woodworth and B. S. Eaton wholly and entirely refused to make them or receive them as a part of the testimony in the case.

PAUL R. HUNT.



Sworn and subscribed to before me, a Notary Public in and for the County of Los Angeles, and State of California, this fifth day of January, A. D. eighteen hundred and sixty-four.

W. G. STILL,
Notary Public.

In the matter of F. P. Ramirez vs. H. Hamilton.

COUNTY OF LOS ANGELES, }
 State of California. }

Before the Commission of J. D. Woodworth and B. S. Eaton, Justices of the Peace, before whom this matter is now pending, Paul R. Hunt, Attorney for Ramirez, moves the Commission that the affidavits of Antonio Sanceda, Filomen Ybarra, Balentin Caqueño, Antonio Olives, Rafael Martines, José Maria Vernal, Filisiano Reteria, J. M. Laborin, E. S. Roberts, S. B. Cox, and J. S. Toffelmier, be filed and made a part of the testimony in this case, for the following reasons: Said witnesses were all ready to testify on the nineteenth of December, when this Commission first met, and the Commission were so informed; and Plaintiff's Attorney informed the Court that he would not be able to retain the said witnesses to the adjournment, as they were here at the expense of Plaintiff from different parts of the county; but the Commission adjourned without requiring the opposite party to secure Plaintiff for damages, and the Commission refused to note the motions and objections of the said Attorney of F. P. Ramirez; and some of the foregoing witnesses have appeared as many as three times for to have their testimony taken, and although the Court has been moved and asked to take said testimony, and urged as a reason that the testimony was material, and that if not taken it would be lost to Plaintiff, nevertheless, the Board have refused to take the same, and have continued to adjourn without paying for the attendance of said witnesses, or securing Plaintiff against damage, though the adjournments have all been objected to, and costs and damages have been required of the opposite party, and has been overruled and disregarded by the Commission. And for said reasons, Plaintiff avails himself of the foregoing affidavits.

F. P. RAMIREZ.

By his Attorney, PAUL R. HUNT.

—

Paul R. Hunt, Attorney for F. P. Ramirez, being first duly sworn, makes oath and says that the foregoing statement is correct and true, or the facts set forth; and that the affidavits were presented to the Commission, and asked to be made a part of the testimony in this case, as set forth in the above statement, and were refused by the said Commission, J. D. Woodworth and B. S. Eaton, Justices of the Peace.

PAUL R. HUNT.

{ SEAL. } Subscribed and sworn to before me this fifth day of January,
 A. D. eighteen hundred and sixty-four, at the City of Los
 Angeles, State of California.

W. G. STILL,
 Notary Public.

In the matter of F. P. Ramirez vs. H. Hamilton.

COUNTY OF LOS ANGELES, }
State of California. }

TESTIMONY OF S. B. COX.

S. B. Cox, being first duly sworn, makes oath and says :

That he is an American citizen by birth, and a resident and voter of the County of Los Angeles, and was at the polls of the election held at the precinct known as San Francisquito, in said county, and at the election of September, A. D. eighteen hundred and sixty-three, and the election in which F. P. Ramirez was candidate for State Senator, and the said Hamilton was opposed to said Ramirez for said office. And affiant says that on said day of election General Volney E. Howard and E. Bettis brought from the mines called Soledad the number of twenty-five to thirty voters who voted the Democratic ticket—it being a place thirty miles distant. The Board of Supervisors having neglected to appoint an Inspector and Judges of Election for said Soledad Precinct, and by reason of said neglect of said Board of Supervisors to establish a precinct, and there being no precinct nearer than thirty miles, there were as many as fifteen to twenty Union voters that did not vote at said election, that would have voted the Union ticket and for F. P. Ramirez for State Senator, had there been polls established at said Soledad mines on said election day, of September, A. D. eighteen hundred and sixty-three, and which has been done by the Board of Supervisors for the judicial election of October, A. D. eighteen hundred and sixty-three.

Affiant further says that had the Board of Supervisors, as was their duty, duly appointed Inspectors and Judges of Election for said Soledad mines, the said F. P. Ramirez would have received as many as fifteen to twenty more votes for Senator for the County of Los Angeles.

Affiant further says that he has been before the Commission of J. D. Woodworth and B. S. Eaton four or five times, to have his testimony taken. Adjournments have been made, and divers excuses made by said Board of Commissioners, and many witnesses in Court ready to testify, and could not be heard.

S. B. COX.



Sworn and subscribed to before me, in the County of Los Angeles, California, this twenty-fourth day of December, eighteen hundred and sixty-three.

W. G. STILL,
Notary Public.

In the matter of F. P. Ramirez vs. H. Hamilton.

COUNTY OF LOS ANGELES. }
State of California. }

TESTIMONY OF E. S. ROBERTS.

E. S. Roberts, being first duly sworn, deposes, makes oath, and says :

That he is a native born citizen of the United States of America, and is a voter in the County of Los Angeles, and is merchandising and selling goods to miners in San Gabriel Cañon, and has been for three years last past. Affiant says that at the late election held in Los Angeles County, in which F. P. Ramirez was a candidate for State Senator, and H. Hamilton was candidate opposed, September last past, A. D. eighteen hundred and sixty-three, the Board of Supervisors of said county neglected to give notice of said election, or to appoint Inspectors and Judges of Election in the precincts established one year ago, and known as the Upper and Lower Mining Precincts in said County of Los Angeles. Affiant further says, that by reason of such neglect, there was no election held in said two precincts, and that the number of legal voters in said precincts were as many as thirty to forty voters. And affiant further says that said voters are nearly all good Union men, and would have voted the Union ticket had there been an election held in said precinct as aforesaid, and that the same said Union voters would have voted for the said Ramirez.

E. S. ROBERTS.



Sworn and subscribed to before me, in Los Angeles County, California, this twenty-third day of December, eighteen hundred and sixty-three.

W. G. STILL,
Notary Public.

In the matter of F. P. Ramirez vs. Henry Hamilton. County of Los Angeles, State of California, contesting the right of said Hamilton to a seat in the State Senate.

TESTIMONY OF J. M. LABORIN.

J. M. Laborin, being first duly sworn, deposes, makes oath, and says :

That he is a resident and citizen of the United States of America, and has been residing in the County of Los Angeles, State aforesaid, for several years last past, and at the precinct known as Azusa, in the County of Los Angeles, and said State, and knows well all the resident voters in said Azusa Precinct, and was present at the polls as Clerk of the election held in said Azusa Precinct, at the late September election, in which F. P. Ramirez was a candidate for State Senator for said county and State, and the said Henry Hamilton was the only opponent for State Senator

against said Ramirez in said election. Affiant further makes oath and says, that on said day of election aforesaid, while sitting as Clerk, he saw come to the polls on said election day, six different persons in the wagons employed by the Democratic party, and presented their votes to the Inspector of said election, and the same were received and deposited in the ballot box of said election, and their names were recorded on the poll list. And affiant further makes oath and says, that said persons are not citizens of the United States, but that they are citizens of the Republic of Mexico, and are not entitled to vote; and that said voters received their ballots of men who were working for the said Henry Hamilton; all of which took place at the late September election in the county and State aforesaid, and at the Precinct of Azusa, in said county.

J. M. LABORIN.



Sworn and subscribed to before me, this nineteenth day of December, eighteen hundred and sixty-three, in Los Angeles, California.

W. G. STILL,
Notary Public.

In the matter of F. P. Ramirez vs. Henry Hamilton, contesting the right of said Hamilton to a seat in the State Senate.

COUNTY OF LOS ANGELES, }
State of California. }

TESTIMONY OF BALENTIN CAQUEÑO.

Balentin Caqueño, being first duly sworn, deposes, makes oath, and says:

That he is a resident of the County of Los Angeles, and has been for a number of years last past, and was at the polls in the City and County of Los Angeles at the late September election this A. D. eighteen hundred and sixty-three, and the election in which F. P. Ramirez was candidate for State Senator for the County of Los Angeles at said election, and the said Henry Hamilton was the only opponent to said Ramirez in said election. And this affiant further says, that he is well acquainted with a number of persons who voted in the City of Los Angeles on said election, and saw as many as ten persons come to the polls in wagons employed by the Democratic party, and said persons received their votes from men who were working for the said Hamilton, and said persons deposited their votes, in number ten, on the morning of said election. Affiant further says, that he knows well the said persons aforesaid that voted, and knows well that they are not citizens of the United States of America, but that they are citizens of the State of Sonora, of the Republic of Mexico, and that such said ten votes are fraudulent. And affiant further says, that from his knowledge of the said September election, he believes that there must be as many as one hundred fraudulent votes polled at the said Los Angeles City Precinct, in said county, polled in

favor of the said Henry Hamilton, on said September election, A. D. eighteen hundred and sixty-three; all of which took place as aforesaid.

BALENTIN CAQUEÑO.



Sworn and subscribed to before me, in the City and County of Los Angeles, California, this nineteenth day of December, A. D. eighteen hundred and sixty-three.

W. G. STILL,
Notary Public.

In the matter of F. P. Ramirez vs. Henry Hamilton, contesting the right of said Hamilton to a seat in the State Senate.

COUNTY OF LOS ANGELES, }
State of California, } ss.

TESTIMONY OF ANTONIO OLIVES.

Antonio Olives, being first duly sworn, makes oath and says:

That he is a resident of the City and County of Los Angeles, and State aforesaid, and was present at the late September election held at Los Angeles, in which F. P. Ramirez was a candidate for State Senator in said election, and the said Henry Hamilton was the only opponent against the said Ramirez in said election as candidate opposed. And affiant further says, that in said September, A. D. eighteen hundred and sixty-three, and at said election, affiant was present at the polls during the morning of the election of said day, and saw five different persons that he (affiant) knows well to be citizens of Sonora, of the Republic of Mexico, who came in wagons employed by the said Henry Hamilton and his associates, and saw said persons receive their ballots from men working for said Hamilton, and saw said persons vote said ballots on said day as aforesaid, and that said votes were five in number as voted, and that they were fraudulent. And affiant further says, that from his knowledge of the said election and what he knows of the voting that took place at said Precinct of the City of Los Angeles, there were polled as many as one hundred fraudulent votes at said election in said precinct, and in favor of the said Henry Hamilton for State Senator; all of which took place at the Precinct of Los Angeles on said September day of election, A. D. eighteen hundred and sixty-three.

his
ANTONIO ~~X~~ OLIVES.
mark.

Attest: W. G. STILL and P. R. HUNT.



Sworn and subscribed to this nineteenth day of December, eighteen hundred and sixty-three, before me.

W. G. STILL,
Notary Public.

In the matter of F. P. Ramirez vs. H. Hamilton.

COUNTY OF LOS ANGELES, }
State of California, } ss.

TESTIMONY OF RAFAEL MARTINES.

Rafael Martines, being first duly sworn, makes oath and says :

That he is a resident of the City of Los Angeles, and is well acquainted with the voters of said precinct, and was at the late election held in September last past in which F. P. Ramirez was a candidate for State Senator, and the said Hamilton was the only candidate against the said Ramirez; and affiant further says, that he was at the polls of said election held in the City of Los Angeles in September as aforesaid, A. D. eighteen hundred and sixty-three, and saw as many as ten or twelve persons come to the polls in wagons that were employed by the said Hamilton and his party, and saw said persons receive ballots from men that were working for said Hamilton, and that said persons voted said ballots as aforesaid at said election. Affiant further says, that he knows said persons as aforesaid, and knows well that they are not citizens of the United States, but that they are citizens of Sonora, of the Republic of Mexico, and that their said votes are fraudulent; all of which took place at the Precinct of Los Angeles City, in said county and State aforesaid, on said election at or about the hour of eleven o'clock of said September, A. D. eighteen hundred and sixty-three. And affiant further says, from what he knows of said election and the voting that took place, he is of the opinion that there were not less than one hundred illegal votes polled in said Los Angeles Precinct, for the said Henry Hamilton; and further this affiant saith not.

RAFAEL MARTINES.



Sworn and subscribed to before me, at Los Angeles, California, this nineteenth day of December, eighteen hundred and sixty-three.

W. G. STILL,
Notary Public.

In the matter of F. P. Ramirez vs. H. Hamilton.

COUNTY OF LOS ANGELES, }
State of California. }

TESTIMONY OF JOSÉ MARIA VERNAL.

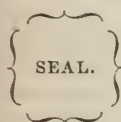
José Maria Vernal, being first duly sworn, makes oath and says :

That he is a resident of the County of Los Angeles and said State, and was at the polls in the City of Los Angeles at the late election of September, A. D. eighteen hundred and sixty-three, in which F. P. Ramirez was a candidate for State Senator, and the said Hamilton was the

only candidate against the said Ramirez. Affiant says that at the polls on said day of said election in said city, at the hour of half past one o'clock, affiant saw twenty-three men, whom affiant knew well to be citizens of the Republic of Mexico, and that had no right to vote, come to the said polls in said city, on said day, in wagons that were employed by the said Hamilton and his party, and affiant saw said Hamilton and party give to said persons ballots, and said persons voted said ballots as aforesaid; and affiant says that said twenty-three votes were fraudulent, and were procured as aforesaid by the said Hamilton and party, and were fraudulent. All of which took place as aforesaid at the said September election, A. D. eighteen hundred and sixty-three, and against the said F. P. Ramirez.

his
JOSÉ MARIA \bowtie VERNAL.
mark.

Attest: W. G. STILL.



Sworn and subscribed to before me, in Los Angeles, California, this twenty-first day of December, eighteen hundred and sixty-three.

W. G. STILL,
Notary Public.

In the matter of F. P. Ramirez vs. H. Hamilton.

COUNTY OF LOS ANGELES, }
State of California. }

TESTIMONY OF FELISIANO RETERIA.

Felisiano Reteria, being first duly sworn, deposes and says:

That he is a resident of the County of Los Angeles and said State, and was at the polls at an election held in the City of Los Angeles in September last past, A. D. eighteen hundred and sixty-three, in which F. P. Ramirez was a candidate for State Senator, and said Hamilton was the candidate opposed to the said Ramirez in said election. Affiant further says that he is well acquainted with the Spanish population of Los Angeles County, and makes oath and says that there is less than one half of said population that are not citizens of the United States, and that on the day of election of September last past, A. D. eighteen hundred and sixty-three, in which F. P. Ramirez was a candidate for State Senator, and said Hamilton was the candidate opposed to said Ramirez in said election, affiant saw, on said day of election, twenty-five citizens of the Republic of Mexico come to the said polls of the said precinct in wagons employed by the said Hamilton and party, and said Hamilton and party gave said persons ballots, and the said persons voted said ballots. And affiant says that said persons as aforesaid voted are not citizens of the United States of America, and had no right to vote at said election, and that said votes were fraudulent. And affiant says that all this took place as aforesaid at the hour of three o'clock of said election day, or thereabout, in said city and county as aforesaid.

FELISIANO RETERIA.



Sworn and subscribed to before me, in Los Angeles, California, this twenty-first day of December, eighteen hundred and sixty-three.

W. G. STILL,
Notary Public.

In the matter of F. P. Ramirez vs. H. Hamilton.

COUNTY OF LOS ANGELES, }
State of California, }

TESTIMONY OF FILOMENO YBARRA.

Filomeno Ybarra, being first duly sworn, makes oath and says :

That he resides in the City and County of Los Angeles, and was at the late September election held in the City of Los Angeles, A. D. eighteen hundred and sixty-three, in which F. P. Ramirez was a candidate for State Senator, and the said Hamilton was the only candidate opposed to the said Ramirez at said election ; and affiant further says that he was at the polls of said election about the hour of ten A. M. of said day, and saw as many as twenty-three persons who came in wagons occupied by the Democratic party, and said persons received ballots from men working for the said Hamilton and his party, and said persons voted at said polls on said day as aforesaid. And affiant says that he knows of his own knowledge that said persons are not citizens of the United States of America, but that they are citizens of Sonora, and that their votes are fraudulent. And affiant further says, that from what he knows of said election, he believes that there were as many as one hundred, or not less than one hundred, illegal votes polled at said election for said Hamilton on said day of election of September, A. D. eighteen hundred and sixty-three, in this said Precinct of the City of Los Angeles.

FILOMENO YBARRA.



Sworn and subscribed to before me, this nineteenth day of December, A. D. eighteen hundred and sixty-three. Los Angeles, California.

W. G. STILL,
Notary Public.

In the matter of F. P. Ramirez vs. H. Hamilton.

COUNTY OF LOS ANGELES, }
State of California, }

TESTIMONY OF ANTONIO SANCEDA.

Antonio Sanceda, being first duly sworn, makes oath and says :

That he is a resident of Los Angeles, and knows well the Precincts of

Los Angeles, Santa Ana, and Old Mission. Affiant says that he knows well all the legal voters in the Precinct known as the Old Mission, in the County of Los Angeles; and affiant says that there are not to exceed twenty legal voters in said precinct, and that the election returns show that they have polled fifty-five; and affiant says that there are as many as thirty-five persons who have fraudulently voted at said Old Mission Precinct, in the County of Los Angeles, thereby giving to the said Henry Hamilton thirty-five fraudulent votes in said precinct. Affiant further says that he was at the City of Los Angeles on the day of the September election last past of A. D. eighteen hundred and sixty-three, in which the said F. P. Ramirez and H. Hamilton were candidates for State Senator, and that he was at the polls on said election day, as aforesaid, and saw at the hour of one o'clock of said day as many as twelve men who came in the wagons employed by the said Hamilton; and affiant saw men who were working for said Hamilton give said persons ballots, and saw said persons vote the said ballots on the said election day of September, A. D., eighteen hundred and sixty-three, last past. Affiant says that he knows said persons aforesaid who voted, and knows that they are not citizens of the United States of America, but that they are citizens of the Republic of Mexico, and that the twelve votes cast for the said Hamilton, as aforesaid, are fraudulent. Affiant further says, that from what he knows of the late election held here in the City of Los Angeles Precinct, of September last past, A. D. eighteen hundred and sixty-three, affiant is positive that there are as many as one hundred or more fraudulent votes polled at said election for the said Hamilton.

ANTONIO SANCEDA.



Sworn and subscribed to before me, at Los Angeles, California, this nineteenth day of December, eighteen hundred and sixty-three.

W. G. STILL,
Notary Public.

In the matter of F. P. Ramirez vs. H. Hamilton.

COUNTY OF LOS ANGELES, }
State of California. }

TESTIMONY OF J. S. TOFFELMIER.

J. S. Toffelmier being first duly sworn, makes oath and says:

That he is an American citizen, and a resident voter in the County of Los Angeles, and said State, and resides in the Precinct called the El Monte, and within two miles of the Precinct called the Old Mission, and was at the polls of the election held at the Old Mission, of September last, A. D. eighteen hundred and sixty-three, in which F. P. Ramirez was a candidate for State Senator, and H. Hamilton was a candidate opposed. And affiant says that he has examined the poll list of the Old Mission, and affiant says that nearly all the votes that were polled on said election day were polled before affiant arrived at said election. Affiant says that from affiant's arrival at said polls one Jacob Bowers voted, a man

well known to affiant, and affiant says there were not to exceed three votes polled between or from the time said Bowers voted to the time affiant voted, and affiant's name is numbered in the list of names as forty-eight, and said Bowers is numbered forty, making eight voters that voted between said Bowers and affiant, which affiant says there were but three voters voted in said space of time. Affiant further says that there are names on said poll list that are strange and unknown to affiant, and affiant says that did such said persons live in said Old Mission they would be known to affiant. Affiant further says that affiant recognizes names on said Old Mission poll list that affiant knows to be fraudulent voters, or persons that are not citizens of the United States, and are not voters. Affiant further says that affiant recognizes names on said Old Mission poll list of voters, the names of persons who reside in the Precinct of El Monte, and whose names are recorded in the El Monte poll list, and also in said Old Mission poll list. Affiant says that there was no Union man to watch said polls, on the part of the Union party, from early in the morning of said election day to one o'clock of said day, at which said time affiant arrived at said polls. Affiant further says that the population of said Old Mission is small, and the Spanish population residing in said Old Mission are in number about six or eight legal voters. Affiant further says that there are on said poll list as many as twenty-five or thirty Spanish names, and that eight of the whole list are legal voters, and the remainder must be fraudulent. Affiant says that the whole vote of the Old Mission could not exceed twenty-five legal votes; and affiant says that he, affiant, is convinced that the votes of said Old Mission, as returned and allowed by the Board of Supervisors, is fraudulent in many respects, as heretofore stated. Affiant further says that in the examination of the poll list of El Monte, affiant saw the name of one boy who is not of age, who has voted, and is a native of Canada; and affiant saw other names of persons who have voted in other precincts on the same said election day, who are recorded as voters and voted in said El Monte. Affiant says that, to allow all the actual legal votes of said Old Mission, which could not exceed twenty-five in number, affiant is positive that said returns, as are allowed by the Board of Supervisors, shows a fraud of thirty fraudulent votes in said Old Mission Precinct. Affiant further says that the Inspector and Judges of the said election of Old Mission, at the close of said election day, moved the ballot box and ballots, and the Board went some three miles to a place from where the election was held to canvass the votes of said election that were voted on said election day at the Old Mission in the said county. And affiant says that there are none of said Board in the County of Los Angeles, within the reach of this county authority at this present time, to my knowledge.

J. S. TOFFELMIER.



Sworn and subscribed to at Los Angeles County, California,
before me, this twenty-sixth day of December, eighteen
hundred and sixty-three.

W. G. STILL,
Notary Public.

TESTIMONY OF WM. MOORE.

Wm. Moore, sworn :

Question—Where do you reside ?

Answer—I reside in Los Angeles City.

Q.—Where were you thirty days previous to the September election, in which F. P. Ramirez was a candidate for State Senator for the County of Los Angeles, against H. Hamilton ?

A.—I was residing in El Paso.

Q.—What was done there in regard to having an election held there on the thirtieth September.

[Objected to by Respondent's Counsel, on the ground that El Paso is not in Los Angeles County.]

A.—There was no action taken by the citizens of El Paso.

Q.—Was there at any time previous to the September election a petition for an election to be held there, as one of the precincts of Los Angeles County ?

[Objected to by Respondent's Counsel, as leading ; also on the ground that a petition is the best evidence, and that leaves the matter entirely in the discretion of the Board of Supervisors.]

A.—None, to my knowledge.

Q.—Have you been County Surveyor of this county ?

A.—I have.

Q.—From your knowledge of the boundaries of the County of Los Angeles, what is your opinion as regards El Paso ? Is it within the bounds of Los Angeles County ?

[Objected to, on the ground that it is not competent for witness to give his opinion—he must state facts.]

A.—I have no knowledge in regard to it, derived from my office as County Surveyor.

Q.—I ask your opinion whether it is in Los Angeles County or not ?

[Question objected to as incompetent.]

A.—From the best evidence I can obtain from the statutes defining the boundaries of this county, and the maps representing the same, I think it is, or the portion of it where the mines are now worked.

[Answer objected to as hearsay, and incompetent.]

Q.—Previous to the election of September, was there any notice given by the Board of Supervisors, or appointment of Inspector, or Judges appointed, for El Paso Precinct ?

[Objected to, on the ground that the question is irrelevant and incompetent.]

A.—I know of none.

Q.—How many voters were there residing in El Paso ?—thirty ?—previous to and up to the time of said September election ?

[Question objected to, because it assumes the fact that there were legal voters there.]

A.—I don't know how many voters there were.

Q.—How many miners were there, then ?

[Question objected to, on the ground that there is no proof that there were miners there, or that they were legal voters.]

A.—Usually from twenty-five to thirty.

Q.—What were they, Americans?

A.—I think the majority were Americans.

Q.—What were the politics, generally, of the men at El Paso? Were they Union men, or Democrats?

[Objected to, as leading, and as assuming their particular politics, and as irrelevant.]

A.—That's something I can't answer. The general sentiment manifested was in favor of the Union ticket.

[Answer objected to as incompetent.]

Q.—How far is El Paso from any other voting precinct?

A.—The voters would have had to go fifty-five miles on an average to have voted in the nearest precinct.

Q.—Might there not have been a greater number than thirty voters in El Paso?

[Objected to as leading and hypothetical.]

A.—From the size of the district, I should think there might.

Q.—Did you ever hear of objections having been made by the Board of Supervisors that they would not allow an Election Precinct at El Paso, for the reason that it was too damned black, or words to that effect?

[Question objected to as leading, seeking to give evidence by public rumor, and is profane.]

A.—I never heard the Board of Supervisors say so. I heard an individual say, "we would give you a precinct if you were not so black." He was not a Supervisor.

CROSS EXAMINATION,

By V. E. Howard, Esquire, for Respondent.

Q.—How long, of your knowledge, have these miners been residing in El Paso?

A.—The majority of them had been residing there from two to six months.

Q.—How many were Americans, how many were natives, and how many were foreigners?

A.—I do not know. I should judge the majority were natives of the United States.

Q.—Do you know that the foreigners had been naturalized?

A.—I do not.

Q.—Can you state the names of such persons as you know to be voters who would have voted for either Hamilton or Ramirez?

A.—I know but one positively.

WILLIAM MOORE.

Subscribed before us, December twenty-sixth, eighteen hundred and sixty-three.

[STAMP.]

B. S. EATON, J. P.,
JOHN D. WOODWORTH, J. P.

TESTIMONY OF N. A. POTTER.

N. A. Potter, sworn.

Question.—Make a statement of what you know about the election at Santa Ana?

Answer.—I know that there were persons appointed to go to the different Election Precincts, but do not know whether they went or not.

Q.—What is the general feeling in regard to the vote of Santa Ana as to its legality?

[Objected to as incompetent and irrelevant.]

A.—With all persons with whom I have talked in regard to it, say that there were far more votes cast there than the precinct is entitled to.

Q.—Do they say anything else?

[Objected to as being incompetent and irrelevant.]

A.—They say that the most of the votes were brought in illegally.

Q.—What do you know in regard to the precautions used by the managers of the judicial election in October last in protecting the Santa Ana Precinct in regard to fraudulent voters.

[Objected to as irrelevant and incompetent.]

A.—I don't know what precautions were taken. I know that it was talked about that it was necessary for the Union party to take some precautions, on account of the frauds that were practised at the previous election.

[Objected to as not being responsive to the question.]

Q.—Do you not know of Juan Maria Sepulveda's going there and being there on the day of the election?

A.—I do not.

Q.—Do you know the number of votes polled at the September election, or the judicial election?

A.—I do not.

Q.—Do you know of anything further in regard to this matter?

A.—I do not—or I do not think of anything.

N. A. POTTER.

Subscribed before me, December twenty-third, eighteen hundred and sixty-three.

B. S. EATON, J. P.

CROSS EXAMINATION.

Q.—You say that those with whom you have conversed said more votes were cast than the precinct is entitled to. With whom have you talked in regard to this affair?

A.—I have talked with the members of the Union party, who take most interest and are most conversant with the affairs of the election, and I think—am very sure—with some members of the other party.

Q.—Then it is through these prominent members of the Union party that you derive the most of your information in regard to this matter?

A.—It is.

DIRECT EXAMINATION RESUMED.

Q.—From the character of the two candidates as District Judge, and

from the interest of the two parties in that judicial election—if it was not a correct test of the legal vote of Santa Ana?

[Objected to as not being rebutting evidence or responsive to the cross examination, also, as assuming as a fact that there was a test.]

A.—From the information I have, I should not think it correct—but far more correct than the September election.

Q.—In what particular do you consider it incorrect?

A.—I think that there were more votes than they were legally entitled to. It is merely an impression that lingers on my mind.

N. A. POTTER.

Subscribed before us, December twenty-third, eighteen hundred and sixty-three.

B. S. EATON, J. P.,
J. D. WOODWORTH, J. P.

[STAMP.]

TESTIMONY OF P. D. GREENE.

P. D. Greene, sworn for Contestant.

Question.—What do you know in regard to the election in the Santa Ana Precinct?

Answer.—Some few days before the September election it was reported to myself and others that there would be a fraudulent vote cast in Santa Ana Precinct unless there was men sent there by the Union party to attend the polls. Arrangements were made to send Wm. P. Reynolds and another person. Somewhere about noon, the day before election, Mr. Reynolds informed me that it would be impossible for him to go, from the sickness of his wife and child. I saw Mr. Zeine in town, from Anaheim, and he promised to go to Santa Ana himself, or send some one. Since then he has informed me that he did not go himself, or send anyone.

Q.—What do you know in regard to the industry that was made to guard against a fraud at the judicial election, and all that you know about it?

[Objected to as incompetent and immaterial.]

A.—I know very little in reference to the matter, only what has been stated to me by others.

Q.—What has been stated to you by others?

[Objected to as put with the direct object to obtain hearsay evidence.]

A.—That competent men would be sent to Santa Ana to prevent illegal voting, so far as possible.

Q.—Do you know anything further about it?

A.—I have been told that men were sent there.

Q.—From the knowledge that you have of the candidates, and from the interest that was taken in the election, and from the powers to draw out the vote of Santa Ana in that judicial election, do you consider it a fair test of the legal vote of Santa Ana?

[Objected to on the ground that it is leading, incompetent, and assuming fact.]

A.—From my best knowledge and belief, I should think that a full vote of legal votes was polled at the judicial election.

D. P. GREENE.

Subscribed to before us, December twenty-sixth, eighteen hundred and sixty-three.

[STAMP.]

B. S. EATON, J. P.,
J. D. WOODWORTH, J. P.

TESTIMONY OF WILLIAM G. STILL.

William G. Still, sworn.

Question.—Where do you reside?

Answer.—In Los Angeles City.

Q.—What is your occupation?

A.—I am Post Master.

Q.—State what you know in regard to the vote in Santa Ana at the last September election.

A.—Personally, I know nothing about it, as I was not there.

Q.—What is your own impression in regard to the legality of that vote?

[Objected to as incompetent and immaterial.]

A.—My own impression was, or is, that there were illegal votes cast.

Q.—Was it not the opinion of good judges that the vote was far greater than the capacity of the precinct to cast?

[Objected to as leading, incompetent, and immaterial.]

A.—It appeared to be the general opinion of all there whom I heard speak on the subject, that that was the case.

Q.—What position do you hold in the Union party of this county, if you are not Chairman of the Union County Committee?

A.—I am acting as such.

Q.—Did not the County Committee take active measures to prevent illegal voting in Santa Ana Precinct at the late judicial election?

[Objected to as irrelevant, incompetent, and leading.]

A.—The County Committee, in connection with Pablo de la Guerra, did take active measures for that purpose.

Q.—From the great interest taken in that judicial election, and the powers to draw out the vote of Santa Ana Precinct, do you not consider the judicial election a fair test of the legal vote of Santa Ana, as to numbers?

[Objected to, as leading and incompetent.]

A.—From the best information that I have, I should consider it a fair test of the vote of that precinct.

W. G. STILL.

Subscribed to before us, December twenty-sixth, eighteen hundred and sixty-three.

[STAMP.]

B. S. EATON, J. P.,
J. D. WOODWORTH, J. P.

TESTIMONY OF ANDRES PICO.

Andres Pico, sworn for Contestant. (Honorable William Dryden was sworn as interpreter, and interpreted the following testimony :)

Question.—Do you reside in Los Angeles County ?

Answer.—I do, and have for twenty-five years.

Q.—Were you here at the time of the war between the United States and Mexico ?

A.—I was here.

Q.—Are you acquainted with the native population of Los Angeles from that time up to the present ?

A.—I am.

Q.—At the time that California became American territory, have you any means of knowing the number of people from the State of Sonora, or what is now the Republic of Mexico, that were then here in California—male citizens, that could vote ?

A.—There were about fifty.

Q.—Was there anything which your judgment was based upon at that time ?

A.—There was. At the time of levying troops here at that time, by that means about that number was discovered.

Q.—Since that time, have not many gone away, and many died, and disappeared from various causes ?

[Objected to as leading.]

A.—I think that more than two thirds have disappeared.

Q.—Are you acquainted with Santa Ana Election Precinct ?

A.—I am.

Q.—Have you not been, at various times in your life, a candidate in different elections in the County of Los Angeles ?

A.—I have run for office.

Q.—How many times have you been elected to the Assembly from this county ?

A.—I think, five times.

Q.—Have you not been elected to the Senate, also ?

A.—I have—once.

Q.—In these elections, have you been in the habit of canvassing the County of Los Angeles ?

A.—I have visited them all when I was a candidate.

Q.—What is the amount of legal votes in Santa Ana Precinct ?

A.—The number when I ran was much greater than at present, because then there was no precinct at Anaheim, as there is now.

Q.—What is the probable legal number of votes in what is now Santa Ana Precinct ?

A.—Using all exertions, about from forty-five to fifty.

Q.—Might there not be a less number of legal voters than fifty ?

[Objected to as leading.]

A.—There may be less, even, than forty-five.

Q.—If, from the interest that was taken in the late judicial election, and the influences that were brought to bear in Santa Ana, was it not calculated to bring out the entire vote of that precinct, and that the number of votes polled at that election is good proof of the actual number of legal votes in Santa Ana precinct ?

[Objected to as leading.]

A.—Every exertion in the world was used at that election to bring out all the votes, even taking from the outside of the precinct.

Q.—From what you know of the September election in the Precinct of Santa Ana, and the number of votes purporting to have been polled, do you not consider it fraudulent?

[Objected to as incompetent and leading.]

A.—I was not in the county at that time, but when I came to the same, I saw the number of votes polled at Santa Ana, and on account of a question I had with one of the candidates, and I supporting the vote of Santa Ana, setting forth that it was exorbitant and too large, I said that the election of District Judge would prove that the election in Santa Ana could not give the vote which it had given in September previous, and consequently I took great interest that the election should be legal in October, to prove what I had said to be true.

Q.—Have you examined the poll list of the late September election, as filed in the County Clerk's office of Santa Ana Precinct?

A.—I have seen a part.

Q.—Do you recognize names of persons on that list that are not voters?

[Objected to as leading.]

A.—I see names there whom I consider not voters.

Q.—Did you notice any particular number?

A.—I have made a list of them.

Q.—How many are there in all?

A.—Sixteen in all.

Q.—Are you acquainted with the precinct known as the Old Mission?

A.—I know it.

Q.—From what you know of the Old Mission, could there be as many as fifty-five legal votes polled in that precinct?

A.—I do not know the American population at that place. I do not think that the native vote would pass twenty-five.

Q.—From what you know of the vote of Los Angeles County, how many Sonoran votes have been polled this year in the September election that are not citizens of the United States?

A.—I cannot tell. I was not here in the county. I know nothing of the election.

[Testimony objected to as irrelevant and immaterial.]

CROSS EXAMINATION.

Q.—Do you mean to say that there are no more than fifty persons from Sonora in this county entitled to vote?

A.—There are not more than fifty, in my opinion.

Q.—Were you not a candidate on the Union ticket at the last September election?

A.—I was.

Q.—Did you canvass the Santa Ana Precinct at the last September election?

A.—At the September election I was in San Francisco, and this plainly shows that I did not visit Santa Ana.

Q.—Did you examine the poll list yourself and take these names off, or were they taken off by another party?

A.—Another person drew off the names, and I then examined the poll list and found the names thereon.

Q.—Do you mean to say that you saw all these names down on the poll list yourself?

A.—I saw all the names on the part of the list I examined.

Q.—Do you mean to say that all these sixteen names are illegal voters?

A.—None of them had a right to vote.

Q.—On what grounds do you base that assertion?

A.—Because, at the time of the war, none of those names were then found here in the list that I made of those that were actually here.

Q.—Do you mean to swear that none of these men could have entered the country in the interval of time when these forces were levied and the treaty of peace concluded with the United States?

A.—I can swear that none of them on that list have entered in that interval of time.

Q.—Are you positive that none of these men have been naturalized citizens of the United States?

A.—I cannot say that.

Q.—How is it that you swear so positively, then, that they are illegal voters?

A.—I cannot say that any one of them has been naturalized. I made out a list in eighteen hundred and forty-eight down to the oldest Sonoran here in the county, and there were but forty-eight in all. This was done in the month of June.

Q.—Do you mean to say that your grounds for swearing these men to be illegal voters are that you could not find them in the country when you took this list?

[Objected to by Contestant.]

A.—I do intend to say that that is my reason, because they were not here at the time I made the list.

ANDRES PICO.

Subscribed and sworn to before us, the twenty-eighth day of December, eighteen hundred and sixty-three.

[STAMP.]

JOHN D. WOODWORTH, J. P.,
B. S. EATON, J. P.

TESTIMONY OF J. A. SANCHEZ.

J. A. Sanchez, being duly sworn, says, (J. J. Warner being sworn as Interpreter:)

Question.—Where were you born?

Answer.—In the City of Los Angeles, State of California.

Q.—How old are you?

A.—I am now completing my twenty-fourth year.

Q.—Are you well acquainted with the native population of Los Angeles County?

A.—I am; I know them all in the County of Los Angeles, and almost all throughout the State.

Q.—Were you in the County of Los Angeles at the late election in

September last, in which F. P. Ramirez and H. Hamilton were candidates for State Senator?

A.—I was in the county.

Q.—Are you well acquainted with the precinct known as Santa Ana?

A.—I am.

Q.—From your knowledge of the Precinct of Santa Ana, and from the vote polled in the precinct last September, and from other knowledge you have of the election held there, do you not consider it fraudulent?

[Objected to as leading and incompetent.]

A.—From my knowledge I have every reason to believe that it was fraudulent.

Q.—Have you examined the poll list of the election held at Santa Ana last September, filed in the County Clerk's office?

A.—I have.

Q.—Do you find in that list names of persons who are not legal voters?

A.—I have discovered a number, and I have also discovered the names of quite a number of persons that I am not positive whether they are legal voters or not, because they, being natives of Sonora, Mexico, may have letters of naturalization.

Q.—Do you know who was Inspector of said election?

A.—I did not know who was until I saw his name on the election returns.

Q.—On examining the list who did you find was Inspector of said election?

[Objected to on account of its being a matter of record, and an attempt to prove the same by parol evidence.]

A.—I find that his name was Mr. Scully. I know his given name is Thomas, but do not know whether he has a middle name.

Q.—Do you know whether Mr. Scully has been living at Santa Ana a great length of time?

A.—Yes, Sir.

Q.—State about how many years.

A.—From the year eighteen hundred and fifty-seven to the present time I know him to have been a resident of Santa Ana.

Q.—Has Mr. Scully lived in the Santa Ana Precinct long enough to know all the legal voters of said precinct?

[Objected to as irrelevant and leading.]

A.—I suppose, from the time he has lived there, he should know them all.

Q.—Could there have been as many as forty or fifty illegal votes polled without Scully having known it?

A.—From what I see I have reason to conclude that Mr. Scully does not know the voters of Santa Ana Precinct.

Q.—Do you find on the list that you have examined—do you find fraudulent votes in Santa Ana Precinct?

A.—I have found several. I know that they were fraudulent because they were polled by natives of Sonora, Mexico, whom I have endeavored to persuade to become citizens, and that they have answered me that only being dead would they become citizens of the United States; for which reason I believe they are illegal voters; and from the time I had the conversation with them they have not had time to become citizens, as required by law.

Q.—How many of such persons do you find that have voted at the late election in Santa Ana?

A.—Of those that I know there are sixteen. There are several others of which I am not so positive.

Q.—How many legal voters are there in the Precinct of Santa Ana?

A.—According to my knowledge, at the time of that election, the resident voters of that precinct could not have exceeded fifty; that only with a great deal of cost could there be forty-five.

Q.—Are you acquainted with the population of the Old Mission?

A.—I am, if I am correctly informed of the dividing line between that precinct and the Monte.

Q.—What proportion of the Spanish population of the Old Mission are Sonoranians or citizens of Mexico?

[Objected to as leading.]

A.—I cannot tell—answer that question directly; there are a majority of that class that are Sonoranians; I should think that there were more than thirty Sonoranians and Mexicans.

Q.—Are these Sonoranians that you speak of voters or not?

[Objected to as leading.]

A.—Of those of whom I spoke, if there are three voters, it is the extent.

Q.—How many legal voters are there in the Old Mission Precinct?

A.—To the best of my knowledge I calculate there are twenty-five or thirty.

CROSS EXAMINATION.

Q.—Did you not run as a candidate on the Union ticket at the last election?

[Objected to.]

A.—I did run as a candidate.

Q.—On what grounds do you base your oath that the election at Santa Ana was fraudulent?

A.—For the reason that I know men in the voters that are not citizens, and from my knowledge of the inhabitants that there is no such number of voters in that precinct.

Q.—Will you state the names of those men whom you knew to be illegal voters?

A.—Ortiz is one, Morano two, Gufalba Lopez, Cordovar, Alhorja, Sanchez Arequa, Espinosa, Valencia, Olivas, Aquilar, Cedono, Bellesear, Castillo Ceraleta.

Q.—What grounds have you for swearing that these men all put in illegal votes?

A.—Because I have interested myself with them to have them become citizens of the United States, and they have answered me that while living they would never become citizens of the United States, and from the time in which this took place to the time of the election they could not have become citizens—voters according to law.

Q.—Do I understand you to say that you had this conversation with each one of these men, and that they all made the same answer?

[Objected to as irrelevant, incompetent, and shows bad sense.]

A.—Not only with these, but many others.

Q.—Do I understand you to swear positively that there could be no more than fifty legal votes polled in Santa Ana, under any circumstances?

A.—Yes; because there are no more in that precinct; and that, if you

wished, you could not get any more, unless you brought them from abroad, and put them there.

Q.—Is it not the custom, sometimes, in elections, to carry legal voters from one precinct to another, to vote for the county ticket?

[Objected to by Contestant.]

A.—It is a custom to vote voters in one precinct, and then carry them to another precinct, and vote them there; and of these proceedings I am well informed.

Q.—Do you mean to say that in the Old Mission Precinct there are but twenty-five or thirty legal voters, to your knowledge?

A.—Yes. If there are more, it is because they bring them from abroad, as is customary.

Q.—Do you not know that there are two hundred in that township, who can vote there, if they choose?

A.—Yes; and if you include Los Nietos, San Gabriel, El Monte, and San José, there will be still more than two hundred that could vote in that precinct.

Q.—Will you give the names of the thirty Sonorians who are illegal voters in the Old Mission?

[Objected to by Contestant.]

A.—I have not their names by memory. I only know them when I see them. I have no book in which I have set down their names; but if you will give me time to go and see them, I will bring you the names of that number, and many more.

Q.—How is it, if you know them so slightly, that you know them to be illegal voters?

[Objected to by Contestant.]

A.—From the conversation which I had with them, and from the time which they have been here, and from the disposition of Mexicans, I do not believe they are citizens.

Q.—Above this twenty-five or thirty native voters that you know of in the Old Mission Precinct, are there not some Americans whom you do not know?

A.—I know some Americans that vote in the Old Mission. All the balance of the Americans vote at El Monte; and it is within my knowledge that only three or four Americans vote at the Mission Vieja.

DIRECT EXAMINATION RESUMED.

Q.—Do you consider the returns of the Old Mission, as fifty-five votes, as fraudulent?

[Objected to as not rebuttal to anything drawn out in cross examination, and as incompetent, and leading.]

A.—I consider it a fraud, because the number of people there represented are not to be found there, unless, as I have before said, they had been brought from other precincts.

Q.—The precincts which bound the Old Mission Precinct—which are San Gabriel, El Monte, and Los Nietos—have not given more than their proportionate vote, that the vote is not excessive, or that the vote of all these precincts is not much greater than their capacity to poll?

[Objected to as leading, and assuming the fact that the number of votes polled in these precincts is in evidence.]

A.—I think that it is in a proportion too great.

J. A. SANCHEZ.

Subscribed and sworn to before us, this twenty-ninth day of December, eighteen hundred and sixty-three.

B. S. EATON, J. P.

J. D. WOODWORTH, J. P.,

TESTIMONY OF JONATHAN TIBBET.

Jonathan Tibbet, being duly sworn, responded as follows :

Question.—Where were you at the September election last past ?

Answer.—I was at Soledad.

Q.—Tell us all about the election there—the number of men that were there—Union men and Democrats—and whether the Board of Supervisors provided for any election to be held there ?

[Objected to as incompetent.]

A.—I left here, and went to Soledad, a few days before the election, calculating to vote there. When I got there, I learned that there was no precinct—no polls. Mr. Bettis and Mr. Howard got there the day before I did, and Mr. Bettis told me that he had made arrangements for taking the men down to Mr. Wiley's, and Captain Clark told me that all the Democrats had gone down there and voted, and that there were about twenty-five or thirty Union men there that could not vote ; that they had no conveyance to go on, and the consequence was, there were three of us that could get nowhere to vote.

[Answer objected to as being hearsay.]

Q.—Have you examined the poll list of the Old Mission and El Monte ?

A.—I have not.

J. TIBBET.

Subscribed before me, this twenty-ninth December, eighteen hundred and sixty-three.

[STAMP.]

B. S. EATON, J. P.

J. D. WOODWORTH, J. P.

TESTIMONY OF PHINEAS TIBBET.

Phineas Tibbet, being duly sworn, responded as follows :

Question.—Where do you reside ?

Answer.—At present, in the Monte.

Q.—Have you examined the poll list of the Monte and of the Old Mission of the September election last past ?

A.—I have.

Q.—State all that you have seen to be fraudulent and illegal on each of the two lists ?

[Objected to, as leading, and attempting to prove matter of record by parol evidence.]

A.—On the Old Mission polls I find Henry Wolf, who claims alienage ;

on the Mission poll list, I find John M. Braddox, Alfred Cummings, Henry Provost, John Clemenson, Louis Shur, and Stephen Thurman, all claiming to be under twenty, except Louis Shur, and he claims alienage.

Q.—Have you noticed from the poll list that persons have voted at the precincts of El Monte and Old Mission?

A.—I have not.

CROSS EXAMINATION.

Q.—What is your occupation?

A.—I am an enrolling officer.

Q.—From whom did you receive your appointment?

A.—From the Board of Enrolment.

Q.—Do I understand you to swear that these names you have given are illegal voters?

A.—You do, Sir, on the grounds of their own statement.

Q.—How came they to make this statement to you?

A.—I was about to enter their names on the enrolling book.

Q.—Don't you think it probable that some of these gave a false statement of their age to avoid enrolment?

A.—No, Sir.

DIRECT EXAMINATION RESUMED.

Q.—How many of them are there?

A.—Seven.

PHINEAS TIBBET.

Subscribed before me, this twenty-ninth day of December, eighteen hundred and sixty-three.

[STAMP.]

B. S. EATON, J. P.,
J. D. WOODWORTH, J. P.

TESTIMONY OF DAN. B. NICHOLS.

Dan. Nichols, being duly sworn, responded as follows:

Question.—Where were you at the September election last past?

Answer.—I was in San Fernando Precinct.

Q.—Did you act in any capacity at the election; and, if so, in what?

A.—I acted as one of the Clerks of the Election.

Q.—Was there any improper conduct on the part of the Board of Election for San Fernando Precinct, from the opening to the closing of the polls?

[Objected to, as leading and immaterial.]

A.—Well, I don't know as I am a judge of that matter.

Q.—Tell what happened there, and all about it.

A.—Well, Sir, I was at the San Fernando Precinct on the day of election last September, and was appointed one of the Clerks of the Board, and, as such, served until the polls were closed at night, and until the votes were counted.

Q.—What was the number of votes given for F. P. Ramirez for Senator?

[Objected to, as attempting to prove by parol evidence a matter of record.]

A.—I do not remember precisely ; but I think twenty-two.

Q.—How many were polled there for Hamilton?

[Objected to, as attempting to prove matter of record by parol testimony.]

A.—I think thirteen ; don't remember exactly.

Q.—There was no illegal voting there, was there?

A.—There was a vote put in the box after the person voting had been challenged, and before the challenge had been determined.

Q.—From the time that the election commenced until it closed, was there no fraud perpetrated at the polls?

[Objected to, as leading.]

A.—Not that I am aware of, unless what I have heretofore stated was a fraud.

CROSS EXAMINATION.

Q.—How many votes were there put in in the manner you describe, before the challenge was determined?

A.—One that I am certain of, and I think another one.

Q.—State the manner in which the returns were made from that precinct.

A.—After the votes were counted, I witnessed the signing of the different papers by the Clerks and Judges. There had been an Inspector sworn in during the latter part of the counting of the votes, and his signature being objected to by some of the Board, they were compelled to wait until next day for his signature.

Q.—What was done with the ballots?

A.—The last I saw of them they were in the hands of one of the Judges of the Election.

Q.—When was that, that you last saw them?

A.—It was about eleven o'clock the night of the election.

Q.—What was their condition, opened or sealed?

A.—They were strung on a string; they were not sealed up in my presence.

DIRECT EXAMINATION RESUMED.

Q.—Do you think that the Inspector or the Judges of the Election had any criminal intention to non-comply with the law; or if there was not a compliance with the law, was it not done through ignorance?

[Objected to as leading and incompetent.]

A.—I don't think they had any criminal intention, and if there was a non-compliance of the law, it was through ignorance.

D. B. NICHOLS.

Subscribed before us, this twenty-ninth December, eighteen hundred and sixty-three.

[STAMP.]

B. S. EATON, J. P.,
J. D. WOODWORTH, J. P.

TESTIMONY OF WILLIAM BICKMORE.

William Bickmore, sworn :

Question.—Where do you reside ?

Answer.—In the Monte, County of Los Angeles.

Q.—How far do you live from the Old Mission Precinct ?

A.—It is between a mile and a mile and a half, at the old Rhubottom place.

Q.—Were you at the polls of the election at the Old Mission in September last ?

A.—I was, a few hours in the afternoon.

Q.—State how many Union votes were polled there, from good reliable authority.

[Objected to as incompetent.]

A.—I shall have to state from what one of the Clerks—Mr. Ellet—told me. He stated ten or eleven.

[Answer objected to as being hearsay.]

Q.—From your information, do you not believe that there were as many as thirteen Union votes polled ?

[Objected to as leading, incompetent, and put with the object of extracting hearsay evidence from the witness.]

A.—Mr. Temple said he was there in the forenoon, and there were eight Union votes put in, to his knowledge. Mr. Toffelmier stated that there were five put in, to his knowledge, in the afternoon, and I believe eight and five are thirteen.

Q.—Will you state to this Court the improper conduct of the Board of Election on that said day of September last past.

[Objected to as irrelevant and immaterial.]

A.—For one reason, there was a bottle setting on the table, and men told me there was whiskey in it. I did not taste it. It was the first bottle I ever saw on an election table. Well, I wanted to know the result of the election, and the next day I asked Mr. Ellet. He stated to me that for the lack of candles they had to go up to the other precinct to make the returns out.

Q.—What did he say about their sending for more candles, and they sent back whiskey and tobacco ?

A.—I don't know anything about that.

Q.—Do I understand you that the Election Board removed to the Monte Precinct to canvass the election and make out the returns ?

[Objected to as leading.]

A.—Yes, Sir, from what Mr. Ellet told me.

Q.—Will you state if that Election Board is to be found in the county ?

[Objected to as irrelevant and incompetent.]

A.—The Inspector I do not know. The Judges, (one of them,) started for the Colorado. I do not know whether he is back or no. The other started for Soledad mines, or he said he was going there. The Clerks, (one of them, I do not know where he has gone,) the other lives there by me.

his
WILLIAM ~~X~~ BICKMORE.
mark.

Subscribed in presence of

[STAMP.]

B. S. EATON, J. P.,
J. D. WOODWORTH, J. P.

STATE OF CALIFORNIA, }
 Los Angeles County. }

We, the undersigned, two Justices of the Peace in and for Los Angeles County, hereby certify that by virtue of the herewith attached Commission, we met in pursuance thereof, and that each of the foregoing witnesses, produced on the part of the Contestant, were duly sworn, and their answers taken down by us, and carefully read to them before signing the same, and corrected according to their wishes.

Given under our hands, this twenty-ninth day of December, A. D. eighteen hundred and sixty-three.

JOHN D. WOODWORTH, J. P.,
 BENJ. S. EATON, J. P.

[STAMP.]

TESTIMONY FOR RESPONDENT.

DECEMBER 30th, 1863.

TESTIMONY OF JOSEPH HUBER.

Joseph Huber, being duly sworn, responded as follows :

Question.—What is your occupation ?

Answer.—I am Deputy County Clerk.

Q.—As such, do you act as Clerk of the Board of Supervisors ?

A.—I do ; and Clerk of the Board of Canvassers.

Q.—What do you know of applications being made to the Board of Supervisors for the establishment of precincts at the Upper and Lower Mining Districts, San Gabriel Cañon, Soledad, and El Paso ?

A.—To the best of my knowledge and belief, there were no communications received or appear on file in this office from the voters of Soledad, El Paso, or Upper or Lower Mining Precincts of San Gabriel, for the establishment of precincts at those places.

Q.—What are your means of knowing if such applications were made ?

A.—Had there been applications made they would appear on record on the minutes of the Board of Supervisors, and said petitions would be on file in the office of the County Clerk, or Board of Supervisors.

Q.—State whether any such petitions appear on the minutes ?

A.—I believe not.

Q.—State, if you know, what has been the usual vote in Santa Ana Precinct at general elections ?

A.—The vote at the general election in eighteen hundred and fifty-nine, to the best of my knowledge, and according to the record, was one hundred and nine (109) votes. In the year eighteen hundred and sixty-one the vote of said precinct was eighty-five (85) votes.

Q.—According to the information you possess, do you consider ninety-three (93) votes an unusually large return for Santa Ana Precinct ?

A.—I am not acquainted with the vote of Santa Ana, but would naturally suppose that if the vote in eighteen hundred and fifty-nine amounted

to one hundred and nine votes, that in eighteen hundred and sixty-three, that ninety-one votes would not be large.

Q.—State what you know about the usual returns from the Old Mission Precinct?

A.—I think and believe, according to record, that the vote of the Old Mission, in eighteen hundred and fifty-nine, was one hundred and two (102); and, in the year eighteen hundred and sixty-one, seventy-three, (73.)

Q.—Considering the number of votes cast in elections heretofore, would you regard the returns of ninety-one votes from Santa Ana and fifty-five from the Old Mission as certain evidence of fraud in the election?

A.—I do not consider it the evidence of fraud.

Q.—State what you know about the election returns from San Fernando Precinct, and the reasons for which they were rejected?

A.—The returns of San Fernando were handed to me on the evening after the election, about six o'clock, in the presence of Ygnacio Sepulveda and Dr. John Somerville—said returns not being enveloped or under seal, and the ballots, as required by law, not being sent with them; and the necessary affidavit required by law was put upon said returns by me, and witnessed by Y. Sepulveda and others.

CROSS EXAMINATION.

Q.—How did you come to observe all these facts that you have testified to as matter of record?

A.—Being a Clerk in the office, I am supposed to know.

Q.—Have you examined the record with the specific object of testifying in this case?

A.—The greater portion of the facts stated were known to me months past—before I knew the contest would occur. I have examined some portions to refresh my memory.

Q.—Did you examine the records to find the different votes, as given by the Precinct of Santa Ana, at the different years which you have testified to?

A.—I examined them mostly for the purpose of my own gratification, and not for the benefit of any one.

Q.—Did you notice who was Inspector at the elections to which you have referred?

[Objected to as not responsive to the examination in chief.]

A.—I did not.

Q.—Do you know T. J. Scully?

[Objected to as not being responsive to the examination in chief, and as an attempt to adduce further testimony for Contestant after the evidence is closed.]

A.—I do not know him personally, but know there is a man by that name.

Q.—Where does this Scully reside?

A.—I do not know, but understand he lives in Santa Ana.

[Evidence objected to on same ground as last.]

Q.—Do you not know that said Scully has been appointed by the Board of Supervisors Inspector of Election at Santa Ana several times?

[Objected to for same cause as last.]

A.—He may have been appointed by the Board, but I do not remember at what times.

Q.—Was he not appointed, and did he not act as Inspector at the late election?

[Objected to on same ground as the others.]

A.—I believe he did act as Inspector.

Q.—What was the number of votes polled at Santa Ana in the years specified in your former statement?

A.—They are the same as I have heretofore stated: In the year eighteen hundred and fifty-nine, there were polled in Santa Ana one hundred and eight or one hundred and nine votes; in the year eighteen hundred and sixty-one, eighty-five votes.

Q.—At the time that you speak of that the Precinct of Santa Ana *polled* these large votes, is it the time that the said Scully was *indicted* for an election fraud at the said Santa Ana Precinct, or *indicted* by the Grand Jury of Los Angeles County for ballot box stuffing, as Inspector of said Santa Ana Precinct?

[Objected to as not being responsive to the evidence in chief, as containing several questions in one, and an evident intention to adduce new matter after the case for Contestant was closed.]

A.—I am not aware that Mr. Scully was ever indicted by the Grand Jury of this county for the crime of ballot box stuffing, nor do I know that he ever was Judge or Inspector at said precinct previous to the election of September, eighteen hundred and sixty-three; nor do I believe that such a charge was ever preferred against him by the Grand Jury of this county. It is the first time I have ever heard it spoken of.

Q.—Were you in the Clerk's office a year ago last September?

A.—I was.

Q.—Did you then act as Clerk of the Board of Supervisors?

A.—I was Deputy County Clerk, and *ex officio* Clerk of the Board of Supervisors.

Q.—Was there appointed for the Upper and Lower San Gabriel Cañon Precincts Inspectors and Judges of Election, and the election returns returned to the County Clerk's office September, eighteen hundred and sixty-two?

[Objected to as not responsive to examination in chief.]

A.—I do not know whether there were elections held there that year or not. There may have been; if so, I am not aware of it.

Q.—What precincts presented petitions to be allowed precincts in this county in September last past.

[Objected to as not responsive in chief.]

A.—There was a petition presented by citizens of Santa Catalina Island, and was rejected by the Board of Supervisors; but a great portion of said citizens resident of said island voted at San Pedro at the last election. There was also a petition presented from the Green Meadows, which petition was allowed, and said precinct established. I know of no further petitions appearing of record in this office.

Q.—How many names appeared upon the petition from Santa Catalina Island?

A.—I do not think there were more than between twenty and thirty, if that many.

Q.—How do you know that all of these voters voted at San Pedro at said election?

A.—Because a great portion of the names appearing on the petition from said island appear on the tally list of said San Pedro Precinct.

Q.—What was the number of votes appearing on the returns of the San Fernando Precinct for Ramirez and for Hamilton?

[Objected to as not responsive to evidence in chief.]

A.—I do not remember.

Q.—From the appearance of the returns, did they appear to be falsified?

A.—The affidavit of the party receiving said returns from the Judges of said election appears on said returns, and was sworn to before me, that said returns had not been out of his possession nor undergone any change from the time he received said returns from said Judges.

JOSEPH HUBER, Jr.

Subscribed and sworn to before us, this thirtieth day of December, eighteen hundred and sixty-three.

[STAMP.]

B. S. EATON, J. P.,
JOHN D. WOODWORTH, J. P.

[Wm. H. Peterson, Esq., was here sworn as Interpreter, and interpreted the following testimony]:

TESTIMONY OF THOMAS A. SANCHEZ.

Thomas A. Sanchez, being duly sworn, responded as follows:

Question.—How long have you resided in this county?

Answer.—As long as I have lived in this world. I am thirty-eight years of age, and that number of years I have resided in Los Angeles County.

Q.—Are you well acquainted with the voters of this county—native and Mexican?

A.—I am.

Q.—How many natives of Sonora, residing in this county, are voters?

A.—I think there are about fifty in the county.

Q.—Do you know any citizens of Mexico not entitled to vote, who voted in the last September election?

A.—I do know of some who voted that had no right to vote.

Q.—Do you know for whom they voted—whether for Hamilton or Ramirez?

A.—In this township a large majority voted for Ramirez. I don't believe that Hamilton got over ten or twelve votes—I mean of those illegal votes.

Q.—State, if you can, about the number of these illegal votes that were polled for Ramirez in this township?

A.—I think there were about a hundred and thirty illegal votes polled by citizens of Mexico and South America in this city, and I am positive that there was a hundred. Toward sundown of the day of the September election a person came to me and offered to sell me the votes of twelve persons at two dollars and fifty cents each. I went to see them—to look at them to see if they were citizens—and I found only one to be a citizen. I refused to buy them, and the Ramirez party took them

off and bought the whole of them for Ramirez, paying them two dollars and fifty cents each—giving them tickets in their hands, and telling them not to let go of them. I did not see the money paid. I saw the person who had the twelve in charge to see the tickets were not changed.

Q.—Are you acquainted with the vote of Santa Ana Precinct?

A.—I am, with a majority.

Q.—What is the usual number of votes polled in Santa Ana, in a closely contested election?

A.—I do not recollect.

Q.—Do you think that the return of ninety-three votes from Santa Ana, from your knowledge of the precinct, is conclusive evidence of fraud?

A.—I do not.

Q.—Are you acquainted with the Old Mission Precinct?

A.—I do not know, because there are a great many from the Monte go up there.

Q.—How many legal native votes could be polled in the Old Mission in a closely contested election?

A.—I think it would give twenty-five or thirty native California votes. There are also a number of New Mexicans residing there entitled to vote.

Q.—Are there not other voters in that neighborhood who have a right to vote in that precinct?

A.—There are a large number of Americans. The population is largely American.

Q.—Do you know anything of the voters in San Gabriel Cañon?

A.—There were only eight or nine legal Spanish votes in the cañon when I went up there, and the American part I know nothing of. The Spanish voters came to San Gabriel Mission and voted.

Q.—How have the majority of voters in San Gabriel Cañon voted previous to September last?

Q.—I think for the Democrats. There is but a very little difference—not more than two or three.

CROSS EXAMINATION.

Q.—What is your occupation?

A.—I am Sheriff of the county, a ranchero, or do any other kind of business that offers.

Q.—How long have you been Sheriff of the county?

A.—Four years.

Q.—Were you a candidate and elected at the late election, when Mr. Hamilton and Mr. Ramirez were candidates for the State Senate?

A.—I was.

Q.—Have you your certificate of election issued to you?

A.—I have.

Q.—Have you any interests in the sustaining of the election of Mr. Hamilton?

A.—None, only as every citizen has his preference.

Q.—Would the annulling of the election of Mr. Hamilton endanger your election as Sheriff?

[Objected to, as incompetent.]

A.—I do not consider that it would be in danger.

Q.—Do you think, then, that there were ten or twelve Sonoranians who were not citizens of the United States that voted for Hamilton?

A.—So I think. There was about that number, but I cannot say positively; it suggested itself so to me.

Q.—How many illegal votes do you credit to the Township of Los Angeles at the election of September spoken of?

A.—There was about a hundred, more or less. All of the Mexican population voted, with the exception of some eight or ten who were too well known.

Q.—Why do you change the number from that on the direct examination?

A.—I said before that there might have been one hundred and thirty, but I am positive that there was a hundred.

Q.—Do you know the number of legal voters in Santa Ana?

A.—The positive number I cannot say.

Q.—Is the population of Santa Ana Precinct nearly all Californians, or of the Spanish race?

A.—Nearly all are natives, or of the Spanish race.

Q.—How many of the Spanish population are citizens of Mexico and Sonora, and not citizens of the United States, residing in Santa Ana Precinct?

A.—I have made no calculation. I knew of two families of Sonorians that were living there, but do not know whether they are there now or not. It is a very large precinct; some come twelve or fifteen leagues to vote.

Q.—How many leagues does the precinct extend up and down the river?

A.—Six or eight leagues up and down the river; but they come from the Ranch of Old San Joaquin, Santiago Mountain, and Bolsa de Tenga; that is what makes me say from twelve to fourteen leagues, more or less.

Q.—Do you know what house the September election was held at?

A.—I believe it was in the house of Desederio Burnell.

Q.—How far below the house, and on the river, where this election was held, is it to the house in Anaheim Precinct where the election was held?

[Objected to as not responsive to direct evidence.]

A.—I have not measured it, but suppose it is about a league.

Q.—Is not Anaheim Precinct on the river within this six or eight leagues that you have given for Santa Ana Precinct?

A.—It is on this side of the river, and the voters on the other side of the river from Anaheim do not go there to vote. That I know well.

Q.—How do you know they don't go there to vote?

A.—Because I have went to them myself and talked to them, and told them to go and vote at Santa Ana Precinct, and they did so; and I have seen them vote there with my own eyes.

—
JANUARY 15th, 1864.

The Commissioners have met pursuant to adjournment, and T. A. Sanchez not being present to finish and sign the foregoing evidence, and the Attorneys for both parties being present, it is agreed that the foregoing be and is hereby received as evidence, without his signature.

PAUL R. HUNT,
Attorney for Ramirez.
V. E. HOWARD,
For Respondent.

We, the undersigned, hereby certify that T. A. Sanchez was duly sworn, and testified as above, and that the same was read over to him, and that he did not wish any corrections made in any of the foregoing interrogatories and answers, and that the reason it was not signed was that he was not able to attend before this Commission when subpoenaed to close his examination, on account of sickness, as reported. And that the Attorneys, in order to close the evidence, agreed to waive the signature, as above.

Dated this fifteenth day of January, A. D. eighteen hundred and sixty-four.

[STAMP.]

JOHN D. WOODWORTH, J. P.,
JOHN HOPPER, J. P.

DECEMBER 31st, 1863.

TESTIMONY OF A. J. KING.

A. J. King, being duly sworn, responded as follows :

Question.—Where were you at the last general election of September?

Answer.—I was at Santa Ana Precinct, in this county.

Q.—State in what manner the election was conducted there?

A.—I saw nothing different from the usual conduct of elections.

Q.—Was the election there carried on in a legal manner?

A.—So far as I saw, it was. In fact, it seemed to be the special care of those conducting the election that there should be no informalities about it?

Q.—State if you have any knowledge of illegal votes being cast there?

A.—I have none. I saw no votes that I had a right to suspect were illegal.

Q.—State if there was anyone there watching the election for Ramirez; and if so, who?

A.—Mr. Ramirez's brother was there.

Q.—What was his conduct in regard to the votes polled there?

A.—He made no objection to any vote during the day, that I observed.

Q.—State, if you know, the usual number of votes polled at Santa Ana in general elections?

A.—In eighteen hundred and fifty-nine, I think there were one hundred and five votes polled there.

Q.—From your knowledge of the Precinct of Santa Ana, and the vote it usually gives, would you consider the return of ninety-three votes as presumptive evidence of fraud?

A.—I would not. I was informed by parties living there last September that there were ten or fifteen more voters who came there to vote when the interest of the election was sufficient to draw them out that would not leave their business and come to the polls at that time.

CROSS EXAMINATION.

Q.—Do you know where Mr. Ramirez's brother is, who was there at that election?

A.—I do not.

Q.—What is your official capacity in the County of Los Angeles?

A.—I am Under Sheriff

Q.—How long have you been Under Sheriff?

A.—Since June, eighteen hundred and sixty-one.

Q.—Did your situation depend upon the election of Mr. Sanchez as Sheriff?

A.—It did not. [Objected to.] The power of Sanchez to appoint me depended, of course, upon his election; but my appointment did not follow as a matter of course. It was tendered to me in eighteen hundred and sixty-one, without any solicitation on my part, or that of my friends, to my knowledge; and at the commencement of his second term, in eighteen hundred and sixty-two, it was again tendered to me in the same manner, without even an intimation, prior to the election, that such would be the case.

Q.—Would the annulling of this said election affect your financial interests?

A.—I don't consider it would. If it did, it would be for my benefit.

Q.—What called you to Santa Ana Precinct on this said day of election?

[Objected to as irrelevant.]

A.—The interest that I generally take in elections.

Q.—How many persons accompanied you?

A.—One, a part of the way.

A. J. KING

Subscribed and sworn to before me, this thirty-first day of December, eighteen hundred and sixty-three.

J. D. WOODWORTH, J. P.

[STAMP.]

TESTIMONY OF E. C. PARRISH.

E. C. Parrish, being duly sworn, responded as follows:

Question.—Where do you reside?

Answer.—In El Monte Township, in this county.

Q.—State the usual vote polled in El Monte Township, prior to the establishment of the Old Mission Precinct?

A.—From about one hundred and seventy-five to two hundred and eleven.

Q.—State about, if you can, the number of votes polled at the last September election, in El Monte Precinct?

A.—To the best of my recollection, somewhere from one hundred and twenty to about one hundred and thirty.

Q.—From your knowledge of the Old Mission Precinct, at the present time, about what is the highest number of votes it is capable of polling?

A.—From the previous number of votes polled, I should think it capable of polling from forty to fifty votes.

Q.—What is the general opinion in regard to the election returns of the Old Mission Precinct, made at the last September election, in regard to the vote being unusually large?

A.—I have never heard anything said of its being unusually large.

Q.—Where do those voters that usually voted in El Monte Precinct, prior to the last election, now vote?

A.—I would suppose at the Old Mission.

CROSS EXAMINATION.

Q.—How long have you lived in El Monte?

A.—Since A. D. eighteen hundred and fifty-four.

RESUMED ON THE PART OF RESPONDENT.

Q.—Has the vote of El Monte Township decreased materially within the last two or three years?

A.—I think not.

E. C. PARRISH.

Subscribed and sworn to before us, this thirty-first day of December, A. D. eighteen hundred and sixty-three.

[STAMP.]

JOHN D. WOODWORTH, J. P.,
B. S. EATON, J. P.

STATE OF CALIFORNIA, }
Los Angeles County. }

We, the undersigned, do hereby certify that we were duly commissioned to take the foregoing depositions, as will appear by our Commissions, hereto attached; and that each of the foregoing witnesses were by us duly sworn before testifying; and that each and all of their answers were carefully read to them after being written down by the Commissioner; and that they did not wish to alter or have any correction made; and each of the witnesses signed the same, except T. A. Sanchez, whose signature was waived, as stated at the close of his deposition.

Dated this fifteenth day of January, A. D. eighteen hundred and sixty-four.

[STAMP.]

JOHN D. WOODWORTH, J. P.,
JOHN HOPPER, J. P.

REPORT
OF
JOINT COMMITTEE,

APPOINTED UNDER

Senate Concurrent Resolution No. 14.

O. M. CLAYES.....STATE PRINTER.

REPORT.

To the Honorable the Senate and Assembly of the State of California :

Your joint committee, appointed under Senate Concurrent Resolution No. 14, beg leave to submit the following report :

That they proceeded to perform the duties required of them to the utmost of their ability, in the limited time which, consistently with their other duties, could be devoted to the subject.

The committee proceeded to San Francisco, and assembled at the Lick House, on the 18th of January, and organized by appointing Mr. Roberts Chairman, and Mr. Dodge Secretary; and finding their labors onerous, appointed George Hill Clerk, and B. S. Blitz Sergeant-at-Arms.

A large number of witnesses were duly summoned before the committee, including the Principal of the institution, Mrs. Fannie A. Clark, who has had sole and exclusive charge of its affairs since its origin; Mr. P. B. Clark, the only Trustee remaining in office now in the State of those appointed by the Act of April 18th, 1863; all the Teachers in every department who have been or who are now engaged in the institution who could be found in the State; a number of the Lady Managers; a number of the pupils; the attending Physicians; parents of the pupils, employés, and other persons who were supposed to have knowledge of its affairs and management, numbering in all forty-two persons. The testimony of these witnesses was duly taken down in writing, is voluminous, covering two hundred and twenty-five pages of manuscript, and is herewith presented for your consideration.

As your committee consider that the testimony covers the whole ground, we beg leave to present briefly our conclusions, referring to the body of the testimony for our premises.

The attention of your committee was devoted to the several points specified in the resolution.

We find that the system of teaching is that which is ordinarily pursued in institutions of a similar character in other States, extending to the common branches of education only; that no mechanical trades or arts of any kind are taught the males, and that the institution thus far has not been supplied with workshops or implements for such purpose. In any future disposition of funds, your committee deem it highly essential that in this particular the usefulness of the institution should be regarded

and extended, by providing for proper persons to be connected with the Asylum, who would be competent to instruct such portion of the pupils as may evince an aptitude for mechanics, in at least the rudiments of ordinary handicraft, with sufficient shop-room, tools, and appliances.

The females have been partially instructed in crochet and bead work, as well as sewing.

As to the mode of receiving and discharging pupils, your committee find no evidence of any system pursued in respect to these matters. Simply a list has been kept of the names of pupils, age, and residence, with the date of arrival, but no entry appears in any book to show when any pupil left the institution, nor for what reason, nor under what circumstances. For this reason your committee were unable to arrive at any correct conclusion from the data to be found, as to the number of pupils or inmates in the institution at any given time; the annual reports showing the names of all who had been in the institution during the year preceding, but showing none who might have departed or had been discharged during that time.

As to the method of keeping the accounts of receipts and disbursements, your committee feel called upon to represent that they are not satisfied with the manner in which, in this respect, the affairs of the Asylum have been conducted. The receipts appear to have been carelessly entered, so that great difficulty is experienced in arriving at a correct knowledge of the various sums derived from different sources; and the accounts of disbursements have been kept in similar style—no system of checks or guards having been thrown around the expenditures—no auditing of accounts by any board or officer whatever—the whole financial affairs of the institution having been kept in the hands of the Principal alone, and all payments having been made simply upon a gross monthly statement of expenses incurred, as per account rendered. Your committee do not intend to assert that any moneys have been improperly expended or disbursed, for we have no such evidence, but disapprove the system as one which ought not to be allowed in any institution under the charge of the State. All moneys appear fully accounted for on the books of the Principal; and the books and accounts of the Treasurer are correct in every particular.

In connection with this branch of the subject, your committee deem it proper to explain that the Asylum has been under a double management, which has tended much to complicate matters, and to an outside party render the affairs of the institution almost inexplicable, but a clear understanding of which is necessary to satisfy the people of the State. It will be sufficient for the committee to say that the Trustees appointed by the Act of April 18th, 1860, appear as nominal parties only, who simply superintended the erection of the buildings, and the expenditure of the appropriations made by the State for that especial purpose—but whose authority, powers, and duties extended not to the supervision of the management or conduct of the affairs of the institution itself, nor of the expenditures of the sums drawn for its support from the State Treasury, at the rate of two hundred and fifty dollars per annum for each pupil.

These sums were drawn quarterly according to the gross number of pupils on the list as given in the annual report, (and your committee regret to say that the evidence shows that the names of persons appear on those annual lists who were not recipients of the benefits of the institution during any portion of the respective years,) and were turned into the Treasury of the Association, (which apparently has in reality been the institution,) and were thence drawn solely upon order or presentation

of the monthly accounts of the Principal, the testimony of the Lady Managers showing that in no instance did they in any manner supervise, examine, or audit the accounts of the Principal so rendered. It thus appears that the bounties of the State, ranging annually from \$7,000 to \$12,000, have been placed for disbursement in the hands of parties in no manner responsible to the State, the agents of a private association; whilst the people of the State, and each successive Legislature, including the present, supposed from the nature of the laws on the statute books, and from generally conceived opinion, that the Deaf, Dumb, and Blind Asylum was, in fact, a State institution. Your committee, in the bill accompanying, propose that it shall become and for the future be a State institution, worthy the objects and purposes for which it was originated by the noble hearted and philanthropic ladies who compose the association, and worthy the people of the State which has fostered it.

For a better understanding of this particular matter, your committee beg leave to report a portion of the testimony of Mr. P. B. Clark, hereto annexed, which explains the origin and progress of the institution.

As to the vouchers of the institution: outside of the State donations, your committee find that from annual contributions of the ladies composing the association, donations from the charitable, and receipts from exhibitions of and sales of articles manufactured by the pupils, the proceeds of festivals, etc., a considerable sum has been derived, all of which will be found in the annual reports made to the Legislature, and which has gone into the common fund; to render a specific statement of these matters, itemized, would require the labor of a Clerk for some days, without any particular benefit resulting.

As to the treatment of the pupils and inmates, your committee find much from the testimony showing good grounds of complaint, that the fare has not been at all times such as the enormous cost of carrying on the institution ought to have provided; that in winter weather, either from the want of properly sheltered playgrounds, or from a too rigid exclusion from the School-rooms, before and after School hours, the pupils have been exposed, to their great discomfort and detriment.

The actual current expenses of the institution during the last twelve months (not including expense of improvement or repairs) has been sixty-seven cents for each pupil per day; this calculation is based upon an enumeration of forty-eight pupils, whilst the testimony shows that forty-three was, in reality, the average number, and the difference would make the actual cost per day about seventy-five cents each. The State Insane Asylum costs only about forty-three cents per day for each inmate, excepting salary of Resident Physician; the San Francisco Reform School costs about thirty-three cents per day for each inmate; the State Prison only about twenty-seven cents per day for each inmate; and we think there is no reason, from the testimony and from our own observation, that the food, clothing, and care of the indigent deaf, dumb, and blind, should have cost as much as the average of the three institutions named. We need scarcely allude to the fact that there are boarding schools and academies, male and female, carried on successfully in this State, with Teachers of the highest qualifications, and tables served in the best style, at a cost not exceeding the sum paid by the State for her pupils, and by pay scholars for their tuition and board, at this institution.

The attention of your committee was drawn to the fact that it has been represented that the buildings now erected were too contracted for the present and future purposes of the institution—and that for this reason, an appropriation of seventy-five thousand dollars had been asked

and granted by the Legislature of eighteen hundred and sixty-three, and ratified by the people. These buildings we found to consist of two brick structures, well constructed and well adapted for their purpose, situated on the east and west sides of the lot, at a distance of one hundred and six feet from each other, they being intended as wings to a main building which should hereafter fill the space. They are each thirty-two by sixty two feet, three stories in height, thus giving about two hundred and twenty superficial square feet of room to fifty-two occupants, that being the number of pupils, with Principal and family, Teachers, and servants, who live in the institution. This is equivalent to a room for each occupant of thirteen feet by seventeen; it would be supposed that, making all allowance for School-rooms, dining-rooms, kitchens, staircases, and apartments for employés of every kind, that there was ample space for all who have been at any time received into the institution. Yet we found the dormitory in reality insufficient, owing to the fact that much serviceable room is wasted for purposes foreign to the objects of the institution.

Your committee find, however, from the testimony and observation on the premises, that whilst the buildings now erected are ample to accommodate, properly and comfortably, with due regard to the laws of hygiene, at least sixty-five or seventy pupils, allowing ample room also for Superintendents, Teachers, and servants, that the grounds of the Asylum are too limited for the purposes of such an institution in the future. The lot is but about two hundred and sixty feet square—and when the whole plan of building, as now proposed, shall be completed, the structure will be surrounded by narrow segments of land, fit only for ornamental purposes, and additional land in that locality can be procured only at prices enormous, and entirely beyond our means, and in fact, the intervention of streets would prevent the acquisition of sufficient quantity at any price.

An institution of this kind should be established with a view to perpetuity. A sufficiency of land to produce a portion of its support by the labor of its inmates, whilst affording also the means of instructing those inmates, male and female, in farming and dairy work, should be the first great desideratum; a healthy location, contiguous to but not within the compass of a great city, beauty of scenery, with pleasant exposure, sheltered from obnoxious winds, and cheapness of site, with convenience of access, should all be taken into consideration in the selection of a spot for such a purpose. We are free to say that none of these pre-requisites, excepting the last, are to be found in the present location; but your committee are informed that no difficulty exists in the way of finding such suitable location in the immediate vicinity of San Francisco, where, in our opinion, the institution ought to be continued.

In this connection we may well advert to the question of the title to the land on which the buildings are now erected. This tract consists of the one hundred-vara lot corner of the block formed by Sparks and Mission streets, (Block No. 34.) Mission Addition; by examination of abstract of title herewith presented, it will be seen that the title to the north-westerly quarter of this property (on which is erected one of the buildings) is in the State absolute; the remaining three fourths was purchased by the City of San Francisco, and conveyed to the Trustees of the Asylum appointed by Act of April eighteenth, eighteen hundred and sixty, in trust only to be used and occupied by them for the erection of an institution for the education and care of the indigent deaf, dumb, and blind, in the State of California, and for no other purpose whatever;

provided, however, and this conveyance is made upon this express condition, that should the above mentioned and described premises, at any time hereafter, be diverted from or used for any other object than for the purposes aforesaid, then, and in that event, the said premises and all the estate and interest hereby granted, shall immediately vest in and become the property of the said City and County of San Francisco, and its assigns, anything herein contained to the contrary notwithstanding."

Thus, it will be perceived, that had the State proceeded to erect the main building at a cost of seventy-five thousand dollars, and after a few years, finding the grounds too small and entirely unfit for the purposes of the institution, should be compelled to seek another location, not only would this enormous cost prove a dead loss, but that the City of San Francisco might assert a claim to the whole ground on which the main building and one wing would be erected.

At this time we believe the premises will sell for more than the whole original cost of land and buildings, so that the State will gain, instead of losing by a sale; the State can purchase at present a new location for a small sum of money, on which we can proceed at once to erect the building contemplated in the seventy-five thousand dollars appropriation; the institution can be continued, in the meanwhile, for two years, if necessary, in the present buildings, until the new one is ready for use, and the present site can then be sold as building lots, and the money placed to the credit of the Asylum, for its support. The Chairman of your committee has addressed a communication to the Board of Supervisors of San Francisco, inquiring whether that city would not convey, under these circumstances, the remaining interest of the city in this property to the State—which we have no doubt the city will cheerfully consent to—and a bill empowering the city so to convey, having been introduced by one of her Senators, (Mr. Dodge,) your committee recommend its passage.

Your committee would further state that it was shown to the committee that the present Principal has been, for some time past, and is now, desirous of retiring from the management of the institution, and that the Lady Managers of the association also desire that the State should assume the whole charge of the Asylum. Your committee need scarcely add that they consider it a duty incumbent on the State so to do, and that the people expect it at our hands, that the waifs whom God has cast along life's shore at our feet, may be cared for as the children of the State.

Your committee have accordingly prepared and herewith present a bill for an Act amendatory of and supplementary to the existing Acts upon this subject, and recommend its passage.

We herewith present, also, the books of the institution, plans of building, vouchers, etc., and the bills of expense incurred by the committee during the investigation, with accompanying vouchers, which we recommend be paid.

E. W. ROBERTS, Chairman,

H. L. DODGE,

E. H. HEACOCK,

Senate Committee;

A. C. BUFFUM, Chairman,

LORENZ HUBBARD,

W. B. H. DODSON.

Assembly Committee.

LIST OF ACCOUNTS.

Room rent and sundries, Lick House.....	\$47 50
Abstract of Title, to C. V. Gillespie.....	50 00
Roberts, Chairman, contingencies	11 37
B. S. Blitz, sundries	29 05
Geo. H. Hill, services as Clerk, thirty days.....	150 00
B. S. Blitz, services as Sergeant-at-Arms and mileage.....	131 60
	<hr/>
	\$419 52

TESTIMONY.

TESTIMONY OF P. B. CLARK.

* * * * *

I have been one of the Trustees of the institution from its first organization. When Mrs. Clark returned from the East, in eighteen hundred and sixty, she concluded that she would attempt to do something for the benefit of the deaf mutes in this State, she having imbibed that idea while at the East from her association with institutions of a similar character, and from having a deaf mute sister. The ladies of San Francisco, at the suggestion of Mrs. Clark, met and organized a society, called a State Institution for the Deaf, Dumb and Blind, in the spring of eighteen hundred and sixty, of which Mrs. Clark was chosen President. Mrs. Clark then visited Sacramento, and obtained an appropriation of ten thousand dollars (\$10,000) from the State, with which to erect a building upon land to be donated by the City and County of San Francisco for that purpose.

The Trustees appointed in the Act making the appropriation were Messrs. Frederick A. Billings, J. A. McDougal, B. H. Randolph, Horace P. Janes, and P. B. Clark. Mr. Randolph and myself endeavored to obtain the donation of a lot of ground, which was impossible in any desirable location; we then concluded to make a purchase of one fourth of the present site, at the same time obtaining the refusal of the balance. The original lot was paid for by the proceeds of a festival got up by the ladies, and cost sixteen hundred sixty-six dollars and sixty-seven cents. The contract for the building was then awarded by the Trustees aforesaid to Charles Geddes, I think, for the sum of nine thousand and odd dollars. We paid an architect one hundred and fifty dollars for the plans of the building, but instead of employing him further to superintend the erection of it, Mr. Randolph and myself did it free of charge. The materials used in the construction of the building were of the best quality, and the contractor lost between five and six hundred dollars, which fact we know from paying the bills ourselves. The building was completed in January, eighteen hundred and sixty-one, and was finished by the balance of the proceeds of the festival aforesaid, and other donations. On the first of May, eighteen hundred and sixty, the School opened on

Tehama street, two houses adjoining having been rented for that purpose; one house was occupied by my family, the rent of which, and our expenses, were paid by myself, the other by the institution, the rent of which was paid by the ladies, as were also the other expenses.

During that year (eighteen hundred and sixty) twenty-two pupils were admitted, and in January following the whole were removed to the new building in the present location. In March, eighteen hundred and sixty-one, an appropriation of ten thousand dollars was made for the erection of another wing, and two hundred and fifty dollars annually, for each indigent pupil. The Trustees, in locating the second wing, had the plans so drawn as to leave room for a central building at such times as the State should deem proper to erect the same—the space between the two wings being one hundred and six feet. The cost of that wing was ten thousand twenty-five dollars and thirty-eight cents, under the superintendence of Mr. Geddes. We considered Mr. Geddes a better man to superintend the erection of the building than the architect himself, for which the Trustees allowed him one hundred dollars, thereby saving to the State two hundred and fifty dollars, the commission of an architect. It was completed in November, eighteen hundred and sixty one, and was furnished and fitted up by private subscription and donations.

The City of San Francisco made a donation of money to purchase the lot during the year eighteen hundred and sixty one, by virtue of an Act of the Legislature, previously passed, the amount thus donated being seven thousand dollars—six thousand dollars being for the land, which is a one hundred vara lot, and one thousand dollars for fencing the same. From the first of May, eighteen hundred and sixty, (the commencement of the School,) to April first, eighteen hundred and sixty-one, the institution was supported entirely through the exertions of the ladies by private donations; subsequently they depended mostly upon the allowance by the State, but no appropriation having been made for the first quarter's allowance, from the first of April to June thirtieth, eighteen hundred and sixty-one, no funds were received from the State until January second, eighteen hundred and sixty-two, two years after the work began. By the word "funds" I mean *cash*. The amount expended by private charity and subscription, before any cash was received from the State, was seven thousand sixty-five dollars and forty-seven cents, which was entirely expended in carrying on the institution, and which paid the entire amount of the expenses up to the first of August, eighteen hundred and sixty-one, when I loaned the institution one hundred and fifty dollars to pay the balance of expense for July; from that time till the first of January, I loaned the institution twenty-six hundred seventy-five dollars and forty-nine cents, which paid all the expenses of the institution from the first day of August to the first day of January, eighteen hundred and sixty-two, except some small amounts received for donations and tuition. The annual report will show the number of pupils in the institution at that time.

January second, eighteen hundred and sixty-two, the first money was received from the State for the maintenance of the institution, amounting to seventeen hundred and fifty dollars, which was appropriated towards the cancellation of the amount due me; the next money received from the State was October twenty-ninth, eighteen hundred and sixty-two, which amounted to eighteen hundred and fifty-four dollars seven-cent cents. In the meantime the Trustees had borrowed of Michael Reese thirty-eight hundred and twelve dollars fifty cents, at two per cent a month, which money was appropriated to paying the balance due me,

and for current expenses of the institution. The last amount received from the State was paid to Michael Reese in part payment of the above loan.

February ninth, eighteen hundred and sixty-three, nineteen hundred and fifty-eight dollars thirty-three cents, cash, was received from the State and applied to payment of the balance due Reese. In the meantime, from May first, eighteen hundred and sixty-two, to January first, eighteen hundred and sixty-three, I had loaned, monthly, to pay the current expenses of the institution, from my own private funds, a gross amount of five thousand three hundred and sixty-nine dollars forty-two cents, taking the note of the Treasurer of the institution, bearing interest at the rate of one and one half per cent per month. February fourteenth, eighteen hundred and sixty-three, a loan was made of Sather & Church, of eight thousand seven hundred and eighteen dollars and seventy-seven cents, on warrants of the State pledged as collateral, at two per cent a month, they to look to the State for the principal, I guaranteeing the interest monthly; which money was applied to the payment of indebtedness of the institution to me, leaving a balance after such payment of, say, nineteen hundred dollars in the Treasury.

May sixteenth, eighteen hundred and sixty-three, two thousand nine hundred and sixteen dollars sixty-six cents was borrowed of Mrs. F. I. Hubbard. at two per cent per month. On the eighteenth of June following three thousand three hundred and eighty-five dollars forty-four cents in cash was received from the State, which was applied as far as it went towards paying the claim of Sather & Church, the money borrowed of Mrs. Hubbard being applied to the payment of current expenses.

The next amount received of the State was on the twenty-second of August following, being two thousand five hundred and eighty-three dollars and thirty-three cents, which also went to Sather & Church in payment of their claim. On the third of September following, borrowed of Pacific Insurance Company three thousand dollars, at one and one quarter per cent a month, which was applied to the payment of current expenses.

The next amount received from the State was twenty-seven hundred and fifty dollars, on the thirty-first of October, eighteen hundred and sixty-three, which was applied in full payment of Sather & Church's claim.

The next receipt from the State was November twentieth following, amounting to two thousand nine hundred and sixteen dollars sixty-six cents, which was applied in payment of Frances I. Hubbard's note in full; the twenty-eighth of the same month three thousand six hundred and forty-one dollars eighty-one cents, was received from the State, a portion of which cancelled the note of the Pacific Insurance Company. In the meantime, on the third day of November, I had loaned the institution five hundred dollars with which to pay current expenses, without interest, which was also cancelled by the last receipt from the State. December nineteenth, eighteen hundred and sixty-three, received from the State two thousand eight hundred and seventy-five dollars, which was applied to the payment of two thousand three hundred and thirty-eight dollars sixty-seven cents borrowed of Mrs. Hubbard December first, the remainder of which, together with what was in the Treasury, after paying the claims against the institution up to January first, eighteen hundred and sixty-four, left a balance of eight hundred and twenty-eight dollars fifty-four cents in the Treasury, and a State warrant for the

quarter ending December thirty-first, eighteen hundred and sixty-three, of three thousand dollars still unpaid.

The amount of private donations in the meantime are shown in the annual reports. Wells, Fargo & Company have transmitted all packages of money free of charge.

[Signed:]

P. B. CLARK.



PROCEEDINGS OF JOINT COMMITTEE

TO

INVESTIGATE THE AFFAIRS

OF THE

Deaf, Dumb, and Blind Asylum,

TOGETHER WITH THE

TESTIMONY TAKEN BY THE COMMITTEE.

O. M. CLAYES.....STATE PRINTER.

STATE OF CALIFORNIA,
Department of State. }

I, B. B. Redding, Secretary of State of the State of California, do hereby certify that the annexed is a true, full, and correct copy of Senate concurrent resolution No. 14, now on file in my office.



Witness my hand and the great seal of State, at office in Sacramento, California, the sixteenth day of January, A. D. eighteen hundred and sixty-four.

B. B. REDDING,
Secretary of State.

By ROBERT HENDERSON, Deputy.

CONCURRENT RESOLUTION.

Resolved, By the Senate, the Assembly concurring herein, that a Select Committee of three be appointed by the Senate, to act in conjunction with such committee as may be appointed or authorized by the Assembly to act herein, whose duty it shall be and who are hereby authorized and instructed to make due and diligent inquiry into the management and conduct of the affairs of the Deaf, Dumb, and Blind Asylum; to investigate all complaints or charges that may be brought against the Trustees, Managers, Principal, and other Teachers, employés, attachés, and servants of said institution; to examine into the system of teaching, the mode of receiving and discharging pupils, and of their treatment whilst inmates therein; to inquire into the method of keeping the accounts, of receipts, and disbursements; the resources, if any, outside of the State donations, whence derived, and the purposes for which disbursed; to examine into the title of the lands on which the buildings are erected, with all other matters and things necessary for a full understanding of the affairs and management of said institution; and that such committee have power to send for persons and papers, and to visit said institution in the prosecution of their inquiries; and that such committee report such recommendations as they may deem proper.

Passed the Senate, January 8th, A. D. 1864.

Passed the Assembly, January 19th, A. D. 1864.



Proceedings of the Joint Committee

TO INVESTIGATE THE AFFAIRS OF THE

DEAF, DUMB, AND BLIND INSTITUTION,

PURSUANT TO

SENATE CONCURRENT RESOLUTION No. 14.

JANUARY 18th, 1864.

The committee met at room No. 177, Lick House, San Francisco, (all the members being present, except Dr. Hubbard,) and organized, by choosing E. W. Roberts Chairman, and H. L. Dodge Secretary. B. S. Blitz was chosen Sergeant-at-Arms, and George A. Hill, Clerk.

The committee ordered a search to be made of the title to the property in question, and employed C. V. Gillespie to make the search and furnish an abstract.

A subpœna was issued for several witnesses, and the Sergeant-at-Arms directed to make service and return at two o'clock P. M., on the nineteenth instant, to which time the committee then adjourned.

H. L. DODGE, Secretary.

JANUARY 19th, 1864.

The committee met at two o'clock P. M., pursuant to adjournment, (all the members being present,) and proceeded to examine witnesses. Mrs. P. B. Clark was sworn, and pending the examination, at six o'clock P. M., the committee adjourned till seven o'clock P. M.

H. L. DODGE, Secretary.

EVENING SESSION, 7 P. M.

All the committee being present, the books and vouchers of the institution were partially examined.

On motion of Mr. Heacock, it was resolved that future examinations shall be conducted with no one present except the Counsel of Mr. and Mrs. Clark, and the witness undergoing examination.

On motion, at ten o'clock P. M., the committee adjourned to meet at ten o'clock A. M., January twentieth, at same place.

H. L. DODGE, Secretary.

JANUARY 20th, 1864.

The committee met at ten o'clock A. M., pursuant to adjournment, (all the members being present, also Mr. and Mrs. Clark,) and proceeded with the examination of Mrs. Clark, which continued until one o'clock and fifteen minutes P. M., when the same was concluded, and a recess taken till two o'clock, at which time the committee met again and proceeded to examine P. B. Clark, until five o'clock and thirty minutes, at which time, on motion, the committee adjourned to meet at ten o'clock A. M., twenty-first instant, at same place.

H. L. DODGE, Secretary.

JANUARY 21st, 1864.

The committee, (all present, except Dr. Buffum,) met pursuant to adjournment at ten o'clock A. M., and proceeded to examine witnesses. (Mr. Mastick being present on behalf of Mr. and Mrs. Clark.) C. Mueller and Miss Harriet S. Lovekin were examined, and their testimony taken down by the Clerk, and sworn to.

A letter was received, and read, from Mrs. Georgiana Woodthorpe, from Mare Island, stating her inability to attend before the committee, in consequence of her daughter's illness.

On motion, it was resolved that the Sergeant-at-Arms be dispatched to Mare Island with a subpoena for Mrs. Woodthorpe, and that he leave on the steamer at four o'clock to-day.

A communication was received from Mrs. Pratt, Secretary of the Board of Managers, requesting that she may be informed when the Committee will visit the institution.

On motion, the Secretary was directed to inform Mrs. Pratt that the committee would visit the institution at ten o'clock A. M. Saturday, the twenty-third instant.

On motion, the committee, at half past one o'clock P. M., took a recess till two o'clock.

H. L. DODGE, Secretary.

AFTERNOON SESSION.

At two o'clock P. M. the committee re-assembled, (all the members being present, also, E. B. Mastick, Esq., on behalf of Mr. and Mrs. Clark,) and proceeded to take the testimony of A. S. Roe, Jr., and Francis A. Lawrence, until eight o'clock P. M., when the committee adjourned till ten o'clock, twenty-second instant.

H. L. DODGE, Secretary.

JANUARY 22d, 1864.

The committee met at ten o'clock A. M., pursuant to adjournment, (five members present, and W. Van Dyke, Esq., on behalf of Mr. and Mrs. Clark,) and proceeded to take the testimony of Dr. E. H. Pardee.

On motion, Doctors Hubbard and Buffum were appointed a committee to proceed to the institution, to take an inventory of the personal effects belonging to the State.

In pursuance of the foregoing motion, the sub-committee proceeded to the discharge of their duties, and at twelve o'clock M. returned with the inventory, which is herewith submitted.

At half-past one o'clock P. M., the committee took a recess for one hour.

AFTERNOON SESSION, January 22d, 1864.

At half-past two o'clock P. M. the committee re-assembled, (all the members being present, also, W. Van Dyke, Esq., on behalf of Mr. and Mrs. Clark.)

Officer Blitz brought before the committee Mrs. Georgiana Woodthorpe, for whom he was sent to Mare Island yesterday, and the committee proceeded to take her testimony, and continued until seven o'clock P. M., when they adjourned till half-past eight o'clock A. M., twenty-third instant.

H. L. DODGE, Secretary.

SATURDAY, January 23d, 1864.

The committee met at half-past eight o'clock A. M., pursuant to adjournment—Doctors Hubbard and Buffum being absent. Mr. Van Dyke was present on behalf of Mrs. Clark, and proceeded with the cross examination of Mrs. Woodthorpe, which continued until ten o'clock A. M., when the committee took a recess, to meet at the institution in pursuance of a former motion.

At half-past one P. M., the committee, having visited the institution, returned, and—all being present except Dr. Hubbard—Mr. Van Dyke proceeded to cross examine Mrs. Woodthorpe, which was concluded at half-past three o'clock.

Mr. Roberts, Dr. Buffum and Dr. Dodson, desiring to return to Sacramento at four o'clock P. M. to-day, Messrs. Heacock and Dodge were

authorized to continue the taking of testimony until the return of the balance of the Committee. Whereupon, Miss Elizabeth S. Cameron was sworn by Mr. Dodge, Acting Chairman, and—Mr. Van Dyke being present—her testimony was taken. The examination was continued until half-past six o'clock, when the committee adjourned till ten o'clock A. M. Monday, twenty-fifth instant.

H. L. DODGE, Secretary.

MONDAY, January 25th, 1864.

The committee met at ten o'clock A. M., pursuant to adjournment, at the usual place—Messrs. Heacock and Dodge, of the committee, being present. William Striby was sworn, and the committee proceeded to take his testimony, which was taken down by the Clerk. About ten minutes after the taking of testimony commenced, Mr. Van Dyke appeared on behalf of Mr. and Mrs. Clark. The examination of Mr. Striby was concluded at a quarter past twelve o'clock P. M., when Mrs. Barbara Longnife was called, sworn, and her testimony taken down by the Clerk. The examination was concluded at a quarter to two o'clock, when the committee took a recess till half past two o'clock P. M.

When the committee re-assembled, Mr. Van Dyke being present, Elizabeth F. Gordon was called and sworn, and her testimony taken down by the Clerk. At half-past four o'clock, Mrs. Charlotte Gordon—mother of Lizzie—was called, and her testimony taken down.

At six o'clock the Committee adjourned till ten o'clock A. M., twenty-sixth instant.

H. L. DODGE, Secretary.

JANUARY 26th, 1864.

Committee met pursuant to adjournment. Present—Messrs. Roberts, Heacock, and Dodge, of the Committee, and Mr. Van Dyke on the part of Mrs. Clark.

Mrs. Susan A. Brash was called, sworn, and her testimony taken down by the Clerk. At twelve o'clock M. the Committee took a recess till half-past one P. M., when they re-assembled and proceeded to examine Mrs. Roe. Her testimony being completed, Mr. Roe was recalled, and examined in reference to a conversation with Mrs. Clark.

Mrs. O'Keeffe was next sworn, and her testimony taken down by the Clerk.

Miss Cornell, the Matron, a mute, was next called, and Mr. Roe was sworn as Interpreter, and through him Miss Cornell was sworn, and her testimony was taken down by the Clerk. Mr. Crandall was also present, on behalf of Mrs. Clark, to insure a correct interpretation. Mr. Crandall, the mute Teacher, was next sworn, and his testimony taken down.

Miss Jane A. Bassett was next sworn and examined; after which, her testimony in chief was interpreted to H. R. Giddings, Henry A. Dick-

son, William M. Phillips, and James A. Bassett, and they severally subscribed and swore to the same.

At eight o'clock P. M. the Committee adjourned till nine o'clock A. M., twenty-seventh instant.

H. L. DODGE.

WEDNESDAY, January 27th, 1864.

The committee met at the usual place, at nine o'clock A. M., pursuant to adjournment. Present—Messrs. Heacock and Dodge, on the part of the committee, and Messrs. Mastick and Van Dyke, on the part of Mrs. Clark. Messrs. Roberts and Buffum, of the committee, afterwards came in, and Mrs. Clark was also present.

The committee having closed their examination on behalf of the State, the following witnesses were called on the part of Mrs. Clark, sworn, and their testimony taken down by the Clerk, viz: Mrs. O. C. Pratt, Mrs. Margaret Ann Davone, Mrs. Frances Wright, Mrs. M. E. Wake-man, Leopold Wertheimer, and Miss Mary Ann Dillon, when, at five o'clock P. M., the committee adjourned, to meet at nine o'clock A. M., on the twenty-eighth instant.

H. L. DODGE, Secretary.

THURSDAY, January 28th, 1864.

The committee met pursuant to adjournment. Present, Messrs. Roberts, Heacock, and Dodge, on the part of the committee, and Mr. Van Dyke on the part of Mrs. Clark, who was also present; and Mr. Mastick appeared on her behalf at eleven o'clock A. M.

The following witnesses were called, sworn, and their testimony taken down by the Clerk: W. O. Andrews, Mrs. Elizabeth Hughes, Mrs. Mark Brumagim, Mrs. J. R. West, Mrs. Elizabeth Jeffress, B. S. Blitz, Doctor James Whitney, and G. S. Banks.

Messrs. Dodge and Heacock, desiring to return to Sacramento, at three o'clock P. M. were excused from further attendance; and it was ordered that the Chairman be authorized to proceed with the taking of testimony to-morrow.

Dr. Buffum, of the committee, came in at half past four o'clock.

Miss Eliza Harwood was sworn on behalf of Mrs. Clark; and at seven o'clock P. M., pending the examination of Miss Harwood, the committee adjourned until nine o'clock to-morrow morning.

ROBERTS, Chairman.

FRIDAY, January 29th, 1864.

The committee met pursuant to adjournment, at nine o'clock A. M., at the usual place. Present—Chairman and Dr. Buffum of the committee, and Mrs. Clark, with her Counsel, Messrs. Mastick and Van Dyke.

Dr. Edward Farrar, on the part of Mrs. Clark, was called, sworn, and his testimony was taken down by the Clerk.

The cross examination of Miss Eliza Harwood was taken up and concluded.

Charles Geddes and Mrs. Catharine Sheldon were also sworn for Mrs. Clark, and their testimony taken down by the Clerk.

Levi Callish was then sworn on the part of the committee.

Mrs. Fannie A. Clark filed a sworn statement as supplemental testimony.

Mrs. Clark also desired to present further testimony, viz: that of Mr. Boyd, as to quality of provisions furnished; Mr. Perry and Mr. Center, as to manner of management, etc.; and to bring in, also, other pupils of the institution, which the committee decline to hear—the time having expired to which the committee had limited itself.

At twenty minutes past five o'clock, the committee adjourned to meet at the call of the Chairman.

ROBERTS, Chairman.

TUESDAY, February 2d, 1864.

The committee met at seven o'clock P. M., at the room of the Chairman, Haywood's Building, Sacramento. Present—all the members of the committee. Mr. Dodge was excused.

Points of report suggested, and testimony examined.

Chairman instructed to draw bill and report as suggested by committee.

Committee adjourned until Friday evening, fifth instant, at seven o'clock.

FRIDAY, February 5th, 1864.

The committee met at seven o'clock P. M., pursuant to adjournment, at Legislative Committee Room, on K street, Sacramento, near corner of Third street.

Present—Messrs. Roberts, Hubbard, Heacock, and Buffum; afterwards, Messrs. Dodson and Dodge came in.

The committee had under consideration a rough draft of a bill and report presented by the Chairman.

On motion of Dr. Buffum, it was resolved that the Chairman be authorized to proceed to Nevada County, and take the testimony of several witnesses residing there.

There being no further business, the committee adjourned to meet again at the call of the Chairman.

ROBERTS, Chairman.

FRIDAY, February 26th, 1864.

The committee met at about four o'clock P. M., at Legislative Committee Room, on Sixth street, between I and J streets, (all members being present,) and had under consideration the bill and report drawn up

by the Chairman, to both of which, on motion of different members of the committee, various amendments were made.

Pending the consideration of the report, the committee adjourned at about half past five o'clock P. M., to meet again at the call of the Chairman.

ROBERTS, Chairman.

WEDNESDAY, March 2d, 1864.

The committee met at the Assembly Chamber at about ten o'clock A. M., (all the members being present,) and had under consideration the report prepared by the Chairman, which, after being further amended, was adopted, and signed by all the members, whereupon the committee adjourned *sine die*.

ROBERTS, Chairman.



TESTIMONY, ETC.



TESTIMONY, ETC.

TUESDAY, January 19th, 1864.

The committee met pursuant to adjournment, at the Lick House, in San Francisco, on Tuesday, January nineteenth, eighteen hundred and sixty-four, at two o'clock P. M., all the members being present.

TESTIMONY OF MRS. P. B. CLARK.

Meeting called to order by the Chairman, and on motion of Mr. Heacock, the committee proceeded to business by swearing Mrs. P. B. Clark, who testified as follows:

I am President of the Board of Managers of the Deaf, Dumb, and Blind Asylum, and Principal of the institution. Was the founder of the institution nearly four years ago—four years from March next. The Board of Managers meet every month, and a record of proceedings is kept by the Secretary in a book for that purpose. Managers are elected by the members at the annual meeting in March. They have been elected every year, except the last, when no election was held, in consequence of my absence in Sacramento—the old members holding over. Institution established by a number of ladies as a public charity, and was supported by donations, fairs, and festivals, previous to the time when it received aid from the State. I started the institution myself, and asked the Legislature for the first appropriation in eighteen hundred and sixty—ten thousand dollars, which sum was put into the building. The institution then owned one fourth of the present hundred-acre lot now owned by it. The deed was given by John Center to Mr. Randolph, who conveyed to the State. Randolph's deed I gave to Governor Downey. The price of the whole lot was seven thousand dollars. Mr. Center made a donation of one thousand dollars towards it, so that the cost was only six thousand dollars. The first quarter of the lot purchased cost one thousand six hundred and sixty-six dollars and sixty-seven cents—being a little more than one fourth of the whole lot. It was purchased with the proceeds of a festival by the ladies. The State appointed Trustees. Object of the Lady Managers being to receive such pupils *only* as were capable of being taught. (*Case of Daisy, May second, eighteen hundred and*

sixty-one.) (*June sixth, eighteen hundred and sixty-one.*) I saw Dr. Pardee, who agreed to visit the institution as often as might be necessary, and attend to all the pupils, for thirty dollars per month. Some of the blind pupils had been under Dr. Pardee's care before they entered the institution, and it was supposed by the parents of some of them that he might restore their sight. Have charged the State for pupils when not actually in the institution. Always erased the name of a pupil when it was fully decided that the pupil had left permanently. Made no deduction for temporary absence, and made no charge for pupils entering in the middle of a quarter until the end of the following quarter. Expenses were nearly the same all the time, even though some of the pupils were temporarily absent. Teachers' salaries and servants' wages had to be paid just the same.

WEDNESDAY, January 20th, 1864.

Committee met on Wednesday, January twentieth, eighteen hundred and sixty-four, at room No. 177, Lick House, at ten o'clock A. M.

CONTINUATION OF MRS. P. B. CLARK'S TESTIMONY.

I have kept no memorandum showing when pupils left the institution. All the pupils named in the report for eighteen hundred and sixty-three are not now in the institution. All whose names are given in the report for eighteen hundred and sixty-three, except F. A. Lawrence, R. B. Smith, T. J. Beebe, H. J. Seeley, M. J. Long, Mary Holman, Jane See, Susannah Quelet, and Elizabeth Gordon, are in the institution at this time. Susannah Quelet left between Christmas and New Year's. I sent her away from the School, because she struck one of the Teachers—has a very bad temper, and I do not think she could be taught, one of her hands being paralyzed. Francis A. Lawrence left just before the holidays—had been absent most of the summer; do not remember the date of his return and leaving. R. B. Smith left in December, eighteen hundred and sixty-three—gone to the country for his health—intends to return to the institution in about a month from the time he left. H. J. Seeley left in September or October, I think—am not positive. Miss M. J. Long has been absent more than a year—left some time in fall of eighteen hundred and sixty-two, I think. Mary Holman left about Christmas Holidays, eighteen hundred and sixty-two—she returned on yesterday. I had been expecting her back every day during the time she has been gone. I have requested her mother every time I have seen her always to send her back. Jane See left in October or November, eighteen hundred and sixty-three. Elizabeth Gordon left last week, on account of her mother's sickness—been in all the time previous. Susan Wertheimer was in the institution yesterday—had been absent since the holidays—was not out more than three or four months in eighteen hundred and sixty-three. I have been no more urgent in my requests to have pupils return to the institution since the appointment of this committee than I have always been. Mary Long and Mary Holman were the only two enumerated in my report for eighteen hundred and sixty-two who were not in on the first of January, eighteen hundred and sixty-three, to the best of my knowledge. I think they left about Christmas,

eighteen hundred and sixty-two. Louisa Edgington was in the institution during the year eighteen hundred and sixty-two, except during vacation—cannot say whether she returned as soon as the School opened or not—she was in most of the year. Emma Downey went home the middle of June, eighteen hundred and sixty-two, and did not return till October first; remained in the institution till January, eighteen hundred and sixty-three, or February, and returned no more. She was a pay scholar before it became a State institution, so far as her mother was able to pay—to the extent of about one hundred dollars. The Treasurer's book will show she entered November first, eighteen hundred and sixty. Mary Coats left just before Emma Downey did, and has not returned since. Have no larger number of pupils during the holidays than at other times, but there are always less. All those who were enumerated in the report of eighteen hundred and sixty-three, except those above mentioned for that year, were in the institution from the time they entered, and all those who were enumerated in the report of eighteen hundred and sixty-two, except those mentioned above. Forty-seven pupils were in the School yesterday, and Lizzie Gordon was then absent. About ten have returned since the first of January. I think all the ten were in the School in December, except one new scholar. Miss Coats and Miss Downey left because they did not like their Teacher, Mr. Roe. Miss Holman, I am quite certain, was not gone much over a year, as I remember having presents for her on the Christmas tree in eighteen hundred and sixty-two. I think — Beebe was in the institution four or five months. Samuel Clanton was in the institution, I think, from the time he entered until the fall of eighteen hundred and sixty-one; has never returned since he left. Lucinda Ford left at the end of the term in June, eighteen hundred and sixty-two. Susan Wertheimer paid twelve dollars and fifty cents per month a portion of the time—Treasurer's book will show. F. A. Lawrence left at the end of the term in June, eighteen hundred and sixty-three. Carrie Griswold is a full pay scholar, three hundred dollars per year. Carrie Douglass pays two hundred and fifty dollars per year. Evadne Shirley paid three hundred dollars for most of the time—I think her father claimed a reduction of fifty dollars per year, at the last settlement, last June. John Bentley, from Oregon, paid two hundred and fifty dollars per year in advance, October, eighteen hundred and sixty-three. Four full pay pupils in all, one who pays a portion, and the balance do not pay anything. The full pay pupils are not included in the list presented to the State for the annual appropriation of two hundred and fifty dollars. Carrie Douglass has always been a full pay pupil, also Evadne Shirley. Louisa Edgington paid for two or three months in eighteen hundred and sixty-two, and Susan Wertheimer generally paid twelve dollars and fifty cents per month in eighteen hundred and sixty-two—I think no others paid in eighteen hundred and sixty-two. I purchase the groceries and supplies for the institution. I trade all the time with R. S. Cutter & Company—I buy both my groceries and my meat of them, principally. I give the order, and they enter it on their books. We keep two cows for the use of the institution. We keep a horse and carriage at the institution, which belong to Mr. Clark. The cows belong to the institution. The grocery merchant delivers our groceries and meat at the institution daily, Sundays excepted. The institution owns two pianos and an organ, one bass viol and a half dozen violins, two flutes,

two guitars, one tamborine, triangle, and set of bones. One piano formerly belonged to me, which I sold to the institution for three hundred dollars. The pupils had played on it for one year and a half, more or less, before I sold it to the institution. The other one I paid three hundred and seventy-five dollars for, to Mr. Gray. Organ cost four hundred dollars, and setting up twenty dollars—total cost, four hundred and twenty dollars. Bass viol cost about twenty dollars. The keeping of the horse is charged to the State. The State has not been charged with the cost of the horse and carriage, nor with the repairs of carriage. The expenses of patients going to the institution are paid by their friends, except in one case—Jones. I pay their fare sometimes when they leave, and pay for their meals; sometimes the fare is given to them by the stage and steamboat proprietors. My expenses to Sacramento are always paid by the society. Last winter I went up four or five times, I think. I never charge my expenses except when I go for the institution, and whenever I have gone I have always gone for the institution. I have never received any salary from the State for my services. I have kept four servants paid by the State, viz: Anna Phalen, (laundress,) at twenty-five dollars per month; Mary Dillon, (cook,) at thirty-five dollars per month; Elizabeth Hughes, (assistant cook and laundry girl,) at thirty dollars per month; Philip Herrmann, (gardener,) at thirty dollars per month—and one other servant, Eliza Harwood, paid by myself, who devotes most of her time to the children. My family, who reside in and board at the institution, consists of my husband, (Mr. Clark,) and one child. I had a sister who lived with me about five or six months in the institution. She was a mute, and came here for her health. She was the first who died in the institution. I have a niece who has resided with me a portion of the time. She was in the institution most of the time in eighteen hundred and sixty-two—was not there in eighteen hundred and sixty-three. She resided with me, and attended School outside. The State is charged with almost everything consumed at the institution. The State has not been credited with anything from those stopping with me. I sometimes give receipts for money received. I think Dr. Pardee gave me the money for Miss Edgington. I think I gave him no receipt. Have a housekeeper a portion of the time; have paid her thirty dollars per month—now pay twenty-five dollars per month. My family occupy four rooms only, viz: a parlor, a bedroom for myself, one for my child, and a dining room. All the bread is made and the clothes are washed in the institution, which, with the additional fact that there are so many more boys than girls, renders the above number of servants necessary. Usual diet for breakfast: Twice a week, hash made of corned beef and potatoes, and bread and coffee; other five mornings, have their meat cold, fried potatoes, bread, and coffee, with sugar and milk. Dinner: Pork and beans on Monday, with vegetables, bread, potatoes, etc.; Tuesday, vegetable soup generally, (always soup of some kind,) boiled fresh meat, and vegetables; Wednesday, potpie or stew, with vegetables, bread, etc.—always fresh meat delivered at the institution daily; Thursday, beefsteak, with vegetables; Friday, fresh fish in the season—at other times roast meat; Saturday, corned beef and cabbage—boiled dinner—beets, and other vegetables; Sunday, hot vegetables, cold corned beef, always pies or puddings—in the season of fruit, always buy fruit by the box, and give it to them frequently. Supper: Bread and milk, bread and syrup, bread and butter, or hot corn bread, and tea every night—mush and milk every Saturday night for those who like it. Once only, to my knowledge, had meat was furnished, and the

market man said he would make a deduction; and once I heard it was bad when I was in Sacramento. It was put on my table, as well as on the rest. Have had three Teachers for the deaf and dumb in eighteen hundred and sixty-three—two there all the time.

Name of Teacher.	Salary per annum.
Mr. Roe.....	\$1,000
Mr. Crandall, \$60 per month.....	720
Mr. Burgess, (Drawing Teacher).....	240
Mr. Mueller, (Music Teacher, spends three days in the week,) \$75 per month.....	900
Miss Cameron, (Teacher of the blind)..	600
Miss Cornell, (Matron.) \$25 per month.....	300
Mrs. Jane Bassett, (Teacher crochet work)	180
	<hr/> \$3,940

Mrs. Bassett commenced teaching about two months since. Miss Cameron, Miss Cornell, and one of the gentlemen Teachers board in the institution all the time, and both dine there all the time, and also the Music Teacher dines there. Have a seamstress there now at twenty-five dollars per month; it is necessary to have one in the spring and fall, from two to three months in each year. I commonly pay from twenty-five to thirty dollars per month; she boards in the institution. The reason why I have not kept a memorandum of the time of the discharge or leaving of the pupil is, I found it was not the custom at similar institutions in other States, the reports of which I have.

Question.—Are you aware that at any time extra cots have been made up on the premises about the time of visits from the committees of the Legislature, for the purpose of showing a greater number of pupils than were really inmates of the institution?

Answer.—I am not.

Q.—Have you ever made extra exertions to have a larger attendance than usual about the time visits were expected at the institution?

A.—I always make extra exertions to get the scholars, whenever they are absent, to return. I asked Lizzie Gordon to return, because she had a fine voice for singing. I am always anxious to have my pupils in the School.

FANNIE A. CLARK.

Subscribed and sworn to before me, this twentieth day of January, eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee of Investigation.

AFTERNOON SESSION.

WEDNESDAY, January 20th, 1864.

TESTIMONY OF P. B. CLARK.

Mr. P. B. Clark, sworn :

I am the husband of the Principal of the institution ; I was married to Mrs. Clark in eighteen hundred and fifty. I am a merchant and money lender ; have been engaged in the business of money lending for two or three years. Been engaged in business in San Francisco as a merchant, more or less, since eighteen hundred and fifty-two. Had very little property when I commenced. Had between eight and nine thousand dollars when the institution was founded in eighteen hundred and sixty ; part of that property was derived from a ranch in Santa Clara County, which I sold in eighteen hundred and fifty-nine. I believe I sold the ranch for three thousand or three thousand five hundred dollars. Sold the stock on the ranch, previously, for between two and three thousand dollars. Am now worth, according to my own valuation, about twenty thousand dollars. Had in my possession, for the years eighteen hundred and sixty-one and eighteen hundred and sixty-two, between thirty and forty thousand dollars, belonging to a party in the east by the name of Hubbard. I have been one of the Trustees of the institution from its first organization. When Mrs. C. returned from the east in eighteen hundred and sixty, she concluded that she would attempt to do something for the benefit of the deaf mutes in this State, she having imbibed that idea while at the east from her association with institutions of a similar character, and from having a deaf mute sister. The ladies of San Francisco, at the suggestion of Mrs. Clark, met and organized a society called a State Institution for the Deaf, Dumb, and Blind, in the spring of eighteen hundred and sixty, of which Mrs. C. was chosen President. Mrs. Clark then visited Sacramento, and obtained an appropriation of ten thousand dollars from the State with which to erect a building upon lands to be donated in the City and County of San Francisco for that purpose. The Trustees appointed in the Act making the appropriation, were Messrs. Frederick A. Billings, J. A. McDougall, B. H. Randolph, Horace P. Janes, and P. B. Clark. Mr. Randolph and myself endeavored to obtain the donation of a lot of ground, which was impossible in any desirable location. We then concluded to make a purchase of one quarter of the present site, at the same time obtaining the refusal of the balance. The original lot was paid for by the proceeds of a festival got up by the ladies, and cost one thousand six hundred and sixty-six dollars and sixty-seven cents. The contract for the building was then awarded by the Trustees aforesaid to Charles Geddes, I think, for the sum of nine thousand and odd dollars. We paid an architect one hundred and fifty dollars for the plans of the building, but instead of employing him further to superintend the erection of it, Mr. Randolph and myself did it, free of charge. The materials used in the construction of the building were of the best quality, and the contractor lost between five hundred and six hundred dollars ; which fact we know from paying the bills ourselves. The building was completed in January, eighteen hundred and sixty-one, and was furnished by the balance of the proceeds of the fes-

tival aforesaid, and other donations. On May first, 1860, the School opened on Tehama street, two houses adjoining having been rented for that purpose. One house was occupied by my family, the rent of which, and our expenses, were paid by myself; the other by the institution—the rent of which was paid by the ladies, as were also the other expenses. During that year (eighteen hundred and sixty) twenty-two pupils were admitted, and in January following the whole were removed to the new building in the present location. In March, eighteen hundred and sixty-one, an appropriation of ten thousand dollars was made for the erection of another wing, and two hundred and fifty dollars annually for each indigent pupil. The Trustees, in locating the second wing, had the plans so drawn as to leave room for a central building, at such time as the State should deem proper to erect the same—the space between the two wings being one hundred and six feet. The cost of that wing was ten thousand and twenty-five dollars and thirty-eight cents, under the superintendence of Mr. Geddes. We considered Mr. Geddes a better man to superintend the erection of the building than the architect himself, for which the Trustees allowed him one hundred dollars, thereby saving to the State two hundred and fifty dollars, the commission of an architect. It was completed in November, eighteen hundred and sixty-one, and was furnished and fitted up by private subscription and donations. The City of San Francisco made a donation of money to purchase the lot during the year eighteen hundred and sixty-one, by virtue of an Act of the Legislature previously passed—the amount thus donated being seven thousand dollars—six thousand dollars being for the land, (which is a one hundred-vara lot,) and one thousand dollars for fencing the same. From the first of May, eighteen hundred and sixty, (the commencement of the School,) to April first, eighteen hundred and sixty-one, the institution was supported entirely through the exertions of the ladies, by private donations. Subsequently they depended mostly upon the allowance by the State, but no appropriations having been made for the first quarter's allowance, from the first of April to June thirtieth, eighteen hundred and sixty-one, no funds were received from the State until January second, eighteen hundred and sixty-two—two years after the work began. By the word “funds” I mean *cash*. The amount expended by private charity and subscription before any cash was received from the State was seven thousand and sixty-five dollars and forty seven cents, which was entirely expended in carrying on the institution, and which paid the entire amount of the expenses up to the first of August, eighteen hundred and sixty-one, when I loaned the institution one hundred and fifty dollars to pay the balance of expenses for July. From that time till the first of January, I loaned the institution two thousand six hundred and seventy-five dollars and forty-nine cents, which paid all the expenses of the institution from the first day of August to the first of January, eighteen hundred and sixty-two, except some small amounts received for donations and tuition. The annual report will show the number of pupils in the institution at that time. January second, eighteen hundred and sixty-two, the first money was received from the State for the maintenance of the institution, amounting to one thousand seven hundred and fifty dollars, which was appropriated towards the cancellation of the amount due me. The next money received from the State was October twenty-ninth, eighteen hundred and sixty-two, which amounted to one thousand eight hundred and fifty-four dollars and seventeen cents. In the meantime the Trustees had borrowed of Michael Reese, three thousand eight hun-

dred and twelve dollars and fifty cents at two per cent a month, which money was appropriated to paying the balance due me, and for current expenses of the institution. The last amount received from the State was paid to Michael Reese in part payment of the above loan. February ninth, eighteen hundred and sixty-three, one thousand nine hundred and fifty-eight dollars and thirty-three cents, (cash,) was received from the State and applied to payment of the balance due Reese. In the meantime, from May first, eighteen hundred and sixty-two, to January first, eighteen hundred and sixty-three, I had loaned, monthly, to pay the current expenses of the institution, from my own private funds, a gross amount of five thousand three hundred and sixty-nine dollars and forty-two cents, taking the note of the Treasurer of the institution, bearing interest at the rate of one and a half per cent per month. February fourteenth, eighteen hundred and sixty-three, a loan was made of Sather & Church, of eight thousand seven hundred and eighteen dollars and seventy-seven cents, on warrants of the State pledged as collateral, at two per cent a month—they to look to the State for the principal, I guaranteeing the interest monthly—which money was applied to the payment of indebtedness of the institution to me, leaving a balance after such payment of, say, one thousand nine hundred dollars in the Treasury. May sixteenth, eighteen hundred and sixty-three, two thousand nine hundred and sixteen dollars and sixty-six cents was borrowed of Mrs. F. J. Hubbard, at two per cent per month. On the eighteenth of June following, three thousand three hundred and eighty-five dollars and forty-four cents in cash was received from the State, which was applied, as far as it went, towards paying the claim of Sather & Church; the money borrowed of Mrs. Hubbard being applied to the payment of current expenses. The next amount received of the State was on the twenty-second of August following, being two thousand five hundred and eighty-three dollars and thirty-three cents, which also went to Sather & Church, in payment of their claim. On the third of September following, borrowed of Pacific Insurance Company, three thousand dollars, at one and one fourth per cent a month, which was applied to the payment of current expenses. The next amount received from the State was two thousand seven hundred and fifty dollars, on the thirty-first of October, eighteen hundred and sixty-three, which was applied in full payment of Sather & Church's claim. The next receipt from the State was November twentieth following, amounting to two thousand nine hundred and sixteen dollars and sixty-six cents, which was applied in payment of Frances J. Hubbard's note in full. The twenty-eighth of the same month, three thousand six hundred and forty-one dollars and eighty-one cents was received from the State, a portion of which cancelled the note of the Pacific Insurance Company. In the meantime, on the third of November, I had loaned the institution five hundred dollars, with which to pay current expenses, without interest, which was also cancelled by the last receipt from the State. December nineteenth, eighteen hundred and sixty-three, received from the State two thousand eight hundred and seventy-five dollars, which was applied to the payment of two thousand three hundred and thirty-eight dollars and sixty-seven cents borrowed of Mrs. Hubbard, December first, the remainder of which, together with what was in the Treasury after paying all claims against the institution up to the first of January, eighteen hundred and sixty-four, left a balance of eight hundred and twenty-eight dollars and fifty-four cents in the Treasury, and a State warrant for the quarter ending December thirty-first, eighteen hundred and sixty-three, of three thousand dollars still

unpaid. The amount of private donations, in the meantime, are shown in the annual reports. Wells, Fargo & Co. have transmitted all packages of money free of charge. I was present and heard the statement of Mrs. Clark relative to the supplies and provisions furnished for the inmates of the institution, and I know the same to be true. Three applications have been made to Governor Stanford to appoint new Trustees—once by myself in person, at which time I represented to him the necessity of it, as there were not a sufficient number of the Trustees in the State to form a quorum—but no attention has been paid to the representations made to him. The actual current expenses for eighteen hundred and sixty-three, exclusive of interest, have been eleven thousand and forty-nine dollars and eleven cents, as I have ascertained from the accounts. The average number of inmates, including my family, Teachers, and servants, has been sixty, making the daily average cost per head of fifty cents and a fraction. The average number of pupils has been forty-five, making a daily average per head of sixty-seven cents. I have never made a penny out of the institution—have never allowed them to pay even a stage fare for me; in fact, it has always been a bill of expense to me in the way of small amounts, which I did not consider it worth while to place on the books. I have done most of the financial business of the institution—have furnished them funds individually for months in succession. I have not, I confess, done the business willingly and cheerfully, but circumstances forced it upon me, and it has been done as carefully and economically as I could do it. My position has been such that I ought to know, and I firmly believe, and I may say, that no Manager, officer, or Trustee has ever received any salary or anything by the way of perquisites.

P. B. CLARK.

Subscribed and sworn to before me, this twentieth day of January, eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

To the President of the Deaf, Dumb, and Blind Institution Investigating Committee :

Reference to quarterly account ending June thirtieth, eighteen hundred and sixty-two, will show that three hundred and fifty-four dollars and seventeen cents less than the number of names called for was drawn from the State; to quarterly account ending June thirtieth, eighteen hundred and sixty-three, will show that nine hundred and ninety-nine dollars and ninety-nine cents less than the number of names called for—making in all one thousand three hundred and fifty-four dollars and sixteen cents less than the strict letter of the law, according to the number of names given, would allow the Institute. Admitting, as we already have, that the institution has not perhaps followed the strict letter and intention of the law in making up their accounts, the above amount will more than offset any time it is claimed the children were absent. (See accounts filed in Controller's office.)

Respectfully,

P. B. CLARK.

THURSDAY, January 21st, 1864.

Committee met at ten o'clock A. M., pursuant to adjournment, at the usual place, all the members being present except Dr. Buffum.

TESTIMONY OF CONSTANTINE MUELLER.

Constantine Mueller, sworn :

I am a Teacher of Music at the Deaf, Dumb, and Blind Institution; have been there five months; receive seventy-five dollars per month in cash, monthly. I go to the institution about eight o'clock A. M., and return in the evening. I do not know the number of pupils, of my own knowledge. I only teach the blind. Fourteen or fifteen is the highest number of blind pupils that I have taught at any one time, which includes the whole number (perhaps one more, perhaps one less) in the institution. I have had opportunities of witnessing the treatment of Mrs. Clark to the blind pupils since I have been there, and have found her always kind to them, and watchful of their interests. She has regular hours for study and for amusements, and is very particular to see the rights of all respected. I have very great respect for Mrs. Clark as a Teacher.

C. MUELLER.

Subscribed and sworn to before me, this twenty-first day of January, eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

TESTIMONY OF HARRIETTE S. LOVEKIN.

Miss Harriette S. Lovekin, sworn :

I reside in San Francisco. I am employed in the Mint. I went to the institution in December, eighteen hundred and sixty-two, to teach the blind exclusively, and to have a general care over the pupils as Assistant. Within five minutes of my arrival at the institution, I was informed by Mrs. Clark that my predecessor was shut up in the building opposite to the one in which Mrs. Clark resided, and as Mr. Clark had told her that she should not enter the house they lived in any more, she (the witness) would have to take the class into the other house. I do not know the name of that Teacher. She refused to leave till she got her pay, and the Board of Managers came and paid her. I mean by her being shut up, that she had been told that she couldn't go to the other house to get her meals, and she would not leave till she got her pay, and did not wish to go until her time was out for which she had been engaged, to make room for another Teacher, I having been employed to take her place before her time was out, without her knowledge. I took charge of the class immediately, and heard it within the next half hour. I took my food in the same building where Mrs. Clark did, and during the time I was taking

my food I had an opportunity of noticing the treatment of pupils while at their meals. During the whole of the time I remained there I think the children had wholesome food, but very often needed more. I frequently supplied them from my table when I thought a case of necessity demanded it. I found the Matron a lady fully qualified to attend to her duties as a Matron. She was placed in the capacity of a servant, and treated as such. The building in which I was placed was entirely new, and had never been warmed throughout. There was but one fire, most of the time, in any of the departments, and that was in the boys' School-room. The dormitory of all the girls and the Matron was in the third story. The regulations of the School required that the children should be at breakfast at six or half past six o'clock, I have forgotten which. In fear of being belated, they frequently arose at four and half past four o'clock, and went down to a large, cold sitting room, without a spark of fire. If they were not in time they had to go without their breakfast. During the succession of rains in the month of December of that year, the deaf, dumb, and blind children—some of them less than six years of age—had to wade through the water, sometimes over their shoes, in the dark, to get to their breakfast, unless the male Teacher or myself took them in our arms. Not any unnecessary punishment was inflicted upon the pupils while I was there, which came to my knowledge. During the time of the flood, I do say, *most emphatically*, that Mrs. Clark failed to provide some person to keep up the fires and make the pupils comfortable. She had the whole control of the institution, and could have employed the whole city, if necessary. During the time of the flood, Mrs. Clark had all the wood necessary in her bed-room and parlor to make her comfortable in everything. I did not see any wood or coal about the institution. I did not go prying into the coal cellars. During this time, a little blind girl had a very severe attack of inflammatory rheumatism, and a little deaf and dumb child, who was nearly blind, had chilblains so she could wear no shoes, and was scarcely able to walk. Many days we sat shivering in the School-room when it was impossible for the children to study from the cold. One morning, when the yard was so filled with water that it was improper for the children to go over to prayers, Mrs. Clark requested them to assemble in the boys' School-room. She came over herself, and found a blind girl, who is almost totally deaf, not quite quick enough in her motion to take her place in the class. Mrs. Clark walked up to her and gave her a severe blow with her open hand, using language unfitted for a lady, a Teacher, or a Chaplain. As near as I can remember, she said: "Get along, you miserable, good-for-nothing Daisy, and take your place in the class." She had to shout this in her ear, so as to have her hear. She was angry at this time. She was always angry when she had to cross the yard when it was unsuitable weather for a lady to be out. This was the only act of cruelty in my presence while I was there. The blow was not severe enough to cause the girl to fall down. That girl was the most unfortunate one in the whole establishment. I have considerable feeling in this matter. This was the girl that came from the Protestant Orphan Asylum. During the flood time, all who were not in the boys' School-room suffered from cold, dampness, and discomfort. I took a cold which impaired my hearing so that I have never recovered. My hearing was impaired before that time. Mrs. Clark had access to the city during all the time I was there, when it was suitable weather for a horse and driver to be out—she having a horse and

carriage. Scarcely a day passed when she did not go to town in her carriage. She never went in the cars. There was one day when the cars did not run—the embankment having been washed away by the water. I was a stranger in the country, and do not know whether it was impossible to go to town any one day or not, on account of the floods. In regard to the discipline of the School, Mrs. Clark held it in her own hands at all times. I considered her just about as well qualified to have charge of the institution, and of children, as a child ten years of age—and no more. I had been a Teacher, at intervals, in Nashville, Tennessee, at the Institution for the Blind, and in Louisville, and was familiar with a similar institution in Boston. Had an opportunity in each of those institutions, to the fullest extent, of seeing the management of the institutions, and the treatment of the pupils in all the branches, having had a blind brother educated at the one in Boston, and having two very intimate friends Superintendents of both the Louisville and Nashville Institutions. I first became conversant with the workings of such institutions in eighteen hundred and forty-six, and have been conversant with them ever since, until eighteen hundred and sixty. I have never been a *regular* Teacher in any of them, though I have taught some, and have read to the blind more or less. I think Mrs. Clark was entirely unfitted for the position she occupied, which opinion is based upon my experience while under her control. I was only in the institution little more than a month. She had a code of laws entirely unfitted to the wants of the institution, which code of laws was in the hand writing of Mr. Clark and signed by Mrs. Clark, and pasted upon a post. After a while, Mrs. Clark tore her name off—leaving the laws. I did not see her tear her name off. I suppose she did it, as no one else would *dare* to do it while she was in the place. I know that she treated Mr. Crandall, the Deaf and Dumb Teacher, as though he was a mere boy. She held him so closely under her control that he could do nothing independent of her will, except by his physical strength, in the management of the larger boys, and in acts of gallantry to the lady Teacher, in helping me through the mud. I consider Mr. Crandall one of the best qualified Teachers for the position I have ever known.

CROSS EXAMINED BY MR. MASTICK.

Do not recollect how long I taught at Louisville, but it was some weeks, during my vacation; do not know how many vacations I spent at Louisville; always stopped there on my way from Nashville to my home in the East. I taught in Nashville between four and five years, in the Female College and Academy, and during all this time I was familiar with the Blind Institution—in teaching, and in attending to the business of the institution. Just before Christmas, Mrs. Bull, one of the Lady Managers, saw me suffering from a severe cold, and I told her we had no fire, and could get none; and she exclaimed, "Have you no fire?" I told her "No," and spoke of other things that were wanted, and she said she would attend to it; I never said anything to any of the other Lady Managers, not having an opportunity. It should have been the Matron's duty to see that the children were ready for breakfast, but her duties in the dining room compelled her to be absent, and that part devolved upon me, and I always endeavored to see that they were at breakfast at the proper time. I cannot remember how many times I have seen children go without their breakfast because they were not ready; it was very unfrequent—they were too eager to get their breakfast; Mrs. Clark was never at breakfast

with the children; when the dinner hour for the children came, she usually took her seat with the Teachers at their table; her own hours were, breakfast at eight or nine, and dining with her husband at four. I have no feeling against Mrs. Clark—not a particle; I have a great desire to see justice done to the little unfortunates. When I saw the children suffering for the want of fire, I reported it to Mrs. Clark; I did not know the others, having only arrived here on the twenty-sixth of October previous. The family of Mrs. Clark consisted of her husband, niece, adopted daughter, servant, driver, and horse.

DIRECT EXAMINATION RESUMED.

There were four boys and eight or nine girls under my tuition, in all from eight to thirteen, at different times; I taught all the blind; I think there were a very few more deaf and dumb than blind pupils; do not know the number.

CROSS EXAMINATION RESUMED.

The Attending Physicians were Dr. Pardee, the oculist, and Dr. Whitney, who attended them twice while I was there.

DIRECT EXAMINATION RESUMED.

Most assuredly there was a difference between the food of Mrs. Clark's table and that of the pupils, both in quality and quantity; Mrs. Clark's table befitted the Lick House, the other the table of servants; but the children's food was always wholesome. I left because Mrs. Clark did not wish to employ me any longer; never had any misunderstanding with Mrs. Clark; my compensation was thirty-five dollars a month, by the month; we parted pleasantly. I think forty pupils can be well accommodated in the institution, as it now is.

HARRIETTE S. LOVEKIN.

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Subscribed and sworn to before me, this twenty-first day of January, eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

AFTERNOON SESSION.

JANUARY 21st, 1864.

Committee met at two o'clock p. m., all the members being present.

TESTIMONY OF AZEL S. ROE, JR.

Azel S. Roe, Jr., sworn :

I am Professor of the Deaf and Dumb Language ; have been a Teacher in the Deaf, Dumb, and Blind Institution for the last eighteen months, and am still teaching. I have the teaching of the first class, which numbers thirteen. There are twenty-nine mutes in the School, (twenty-eight or twenty-nine,) leaving fifteen in the other class. During the time I have been there, the average number in the Deaf and Dumb Department has been about twenty-five. Every other week, I take my meals at the institution ; being the Monitor, I eat with the pupils in the dining room. They (the pupils) have very poor fare, which consists : for breakfast, for the last two or three months, they have had simply potatoes and bread, with coffee, and milk and sugar. At the table where the larger mutes sit they sometimes have cold meat. During the first year I took all my meals at the institution—since that time, as above stated. The pupils have no butter for breakfast. The potatoes are boiled the day before, as I suppose, and cut into large pieces—sometimes they pretend to fry them, but they are hardly warmed through. The bread is simply cut into pieces. This constitutes their entire breakfast. I sit close by the table when the pupils eat, and feeling an interest in them, I always glance around to see how they are treated and provided for. Dinner: Once a week they have a soup. Regular dinner consists of meat and potatoes, cooked together, and served up either together, as soup, or separately, and bread. On Saturdays, the dinner consists of corned beef and cabbage, and bread and potatoes—nothing else. On Sunday, they have for breakfast, hash. I do not know of what it is made, except the meat is corned beef. The children sometimes complain of its smelling very bad. They also have bread—no butter. Dinner on that day: corned beef, cabbage, and potatoes, and bread ; also rice pudding, I believe ; no butter. Supper on week days : sometimes bread and milk, sometimes bread and cold meat, and sometimes corn bread—two or three evenings in each week they have butter. On Sunday night they have bread and butter, and tea ; also sometimes gingerbread, or coarse cake. The larger pupils have tea every night, and the small ones drink water. The pupils this term, commencing with August last, have had a sufficient quantity to eat—before that time they had not ; but the food is prepared in such a manner that they (the larger ones) complain of it very much as making them sick, and immediately after eating I have seen them, repeatedly, vomit up all they have eaten. They come to me often and complain about it. Yesterday morning all of the larger pupils refused to eat the food, and Mr. Clark took it up to the music room, and sent for the pupils, and told them, in short, that they *must* eat it—that it was good. They insisted that it was not, and would not eat it, when Mrs. Clark threatened to send one of the pupils, who has no home, to the Industrial School for refusing to eat it. On Monday, the pupils have

beans, also. I have never known the pupils to have any other vegetables than those named. I do not think the meat is always fresh—the children complain of it as being tainted. I very often smell it myself, and know that it is sometimes tainted. There was not much fruit used by the pupils during the fruit season—the Teachers had it every day for dinner. Sometimes, on Sundays, they would have fruit for dinner instead of puddings; never any fruit at breakfast, and sometimes at supper one peach a piece, but that was not common. Having taught these pupils for the last eighteen months, I feel a deep interest in everything that concerns them, and always eating at a table close by them, thereby giving me ample opportunities for observing their diet, are the reasons why I know the foregoing facts. I taught as a Professor of the Deaf and Dumb nearly the whole of an academical year (eight months) in Baton Rouge, Louisiana, in eighteen hundred and sixty and eighteen hundred and sixty-one. I have a great many times dined and taken supper at the Hartford Institution, in Connecticut, of which David E. Bartlett (my uncle) is Professor of the Deaf and Dumb Language. I do not know the courses of food in that institution, but I do know that they have all kinds of meats, roast beef, etc., also plenty of fruit in season of it, and all kinds of vegetables. Every five weeks it became my turn to act as Monitor at the institution in Louisiana where I was teaching, when I sat at the table with the pupils. They always had a great variety of food, and plenty of it. There is no comparison between the course of diet there served and the one where I now am. I never saw so poor fare anywhere as I have commonly seen at this institution; have seen better at prisons. Miss Mary A. Coats left the institution in January, eighteen hundred and sixty-three, in the fore part of the month. She was quite unwell in the institution, and complained that she had not had proper care; she complained to me several times; she was eighteen or nineteen years of age; she said that Mrs. Clark had taken the door off the dormitory, which caused her to take a very severe cold. She has lately died. She also complained about the food, as the other children did. Miss Downey also left about a month after Miss Coats did. She left because she hated Mrs. Clark. I know this because she often told me so. Miss Coats used to complain of having to do service, in sweeping and making beds; was often late in coming to School, and complained of being tired on that account. Thomas J. Beebe left the institution one year ago last fall. Mary Long has not been in the institution for a great deal over a year. Mary Holman I never saw until day before yesterday, when she came to the institution, having been sent for by Mrs. Clark, because the committee were expected out there; that is my opinion relative to the reason why she was out there. Mrs. Clark had said that she wanted all the pupils there. If Miss Holman had been in the institution before, during the time I have been there, I should have known it. The reason of my opinion that Mrs. Clark sent for her because the committee were coming, is that she had frequently before, whenever any committee from the Legislature had been about to visit the institution, sent out to bring in all the pupils possible, that they might be there at the time. Relative to the treatment of the pupils, I at one time during last year knew Mrs. Clark to cause the Assistant Teacher, John Larue, to whip one of the pupils, Levi Callish, very severely, with a rawhide, so that his wrists bled. She first requested me to do it, and I would not. I do not remember why he was whipped. He was whipped about the wrists, shoulders, and arms. I saw a welt upon his arms, which he showed me.

The ordinary punishment is solitary confinement. I never have heard Mrs. Clark use any unbecoming language, but I have heard her frequently scold them in a manner unbecoming a Principal, and tending to lessen her influence with them. I have never seen any oranges, either on the tables of the pupils or Teachers. Mrs. Clark has a servant of her own—Eliza Harwood—brought up by her, who assists at the table, has the key of the store-room, and I believe attends to her private affairs. Mrs. Clark occupies seven rooms for the use of herself and family—being one parlor, one reception room, four bed rooms, and a dining room. Her family, occupying exclusively the above mentioned rooms, consists of Mr. and Mrs. Clark, an adopted daughter, and the servant, Eliza Harwood. These rooms are never used by the pupils. Some time last May a man by the name of Hudson purchased a life membership in the institution for fifty dollars. Mrs. Clark gave me the receipt for the money for the membership, and told me to take it and get the money of Mr. Hudson, and apply it in part payment of my salary; which I did, and gave Mr. Hudson the receipt. I informed Mrs. Clark of that fact, and when I settled my month's salary it was deducted therefrom. Carrie Griswold, classified as one of the deaf and dumb, is an *idiot*, and Mrs. Clark requested me to write to her parents to take her out of the institution, as she was not a fit subject for it; which I did last month. Mrs. Clark does not allow any of the male pupils to have any fire before eight o'clock A. M. They rise before six, and breakfast at six, the year round. The male pupils are obliged to remain out of doors from breakfast till eight o'clock. They are *locked out*. The Teachers have no fire either. The only place they could be in during those hours in the morning, (from the fact that the beds are being made up and rooms swept,) is the School-room, which Mrs. Clark does not allow them to go in, because they would injure the desks. I have known them sometimes to be kept out even in the rain, Mrs. C saying that they could go into the woodshed. I have sometimes unlocked the doors myself, and let them in out of the rain. I have repeatedly spoken to Mrs. Clark about that; she being the head over all, I have had no other person to go to. When I have spoken to her about keeping them out of doors she says the children all have work to do; which is not so, except in a few cases of the larger boys. I know of no person who is recognized by the inmates of the institution, Teachers or pupils, except Mrs. Clark, to whom any of us could make complaints. I have never, during the whole time I have been there, seen any of the Trustees, except Mr. Randolph, whom I have seen once, and Mr. Clark, who resides at the institution. None of the Trustees have ever been in my School-room, and none of the Lady Managers, though they have sometimes been there, have ever questioned the pupils to ascertain whether they have made any progress or not, which I think is a great neglect. Mrs. Clark has never attended any examination of the pupils in my department.

Question—What has been the general conduct of Mrs. Clark towards the pupils? Has it been kind, motherly, and affectionate, showing a watchful desire on her part to promote their interests, or not?

Answer.—I think her manner towards the children has been cold and exacting, and not suitable for the conduct of the Principal of a Deaf and Dumb Institution; I never heard a tender expression to them come from her lips—she never caresses them.

Q.—What has been her general conduct towards the Teachers?

A.—Towards myself it has been unjust in the extreme. I prefer to have the other Teachers answer for themselves.

Q.—Have you ever known of extra cots being put up about the time visits were expected from Legislative Committees, which cots were not necessary for pupils then in the institution, or expected to come?

A.—I have known extra cots to be put up; it was at the time of a visit from the Legislative Committee last April, previous to an application for money to build the main building—making the whole number fifty-two in all.

Q.—How many pupils were there actually in the institution at that time?

A.—About forty. The institution, as it now is, will accommodate from sixty-five to seventy pupils, reserving at the same time sufficient room for the Principal, Teachers, servants, etc.

CROSS EXAMINED BY MR. MASTICK.

There were not fifty-two or fifty-four children connected with the institution. I have never known over forty-eight pupils in the institution at any one time, and only then for a very short time. I know that there were fifty-two cots put up, by being told so by two or three persons, viz: Miss Cornell, Mrs. Woodthorpe, and Jane Bassett. The children, instead of being out of doors from after breakfast till eight o'clock, should have been kept in the School-room, in my opinion, because the weather was too cold for them to remain outside. The gymnasium is in the yard, and there is where the children are during the time referred to—some are playing, and some are walking about. They have been kept out in the rain several times this season—I do not know exactly. It was about six weeks ago, for the first time this term, that she ordered the School-room doors to be locked. The order was first given to Mr. Crandall, Assistant Teacher, and she sent word that I should bring her the keys at night after locking the door, which I did, and she said she did not want me to have the keys until it was School time, as she did not want the children in the School-room before, on account of injuring the desks. Afterwards, when I let the children in when it rained, I sent for them by her servant girl, and said she must let the children in. The keys were then sent to me by the servant girl, who brought them reluctantly, which I knew by her manner. She said Mrs. Clark told her not to give the keys to anybody. The keys were never refused when I sent for them, because I never sent for them but two or three times. The day appointed for the Lady Managers to meet at the institution is the first Thursday in every month. I see them then, if ever. I have seen them. I have not been introduced to all of them, and I have seen but two of them in my School-room since the first of August. I said but a few words to them at the time they were in the room. They did not sit down while in the room. Once or twice the time has come for the regular monthly meeting when not more than one Lady Manager has been present. I never saw any of them at the institution at any other time than at the regular monthly meeting, except at an exhibition held the week before Christmas, one evening. I should have known it had any of them been there, for Mrs. Clark generally mentioned it to me when any of them called. I did not meet them at the monthly meetings. When they came they occupied Mrs. Clark's parlor. They could have used the music-room, which is a large room, occupying one half of the second story of the west building. It was furnished with the ordinary furniture of a music-room. I was not present when the boy Callish was whipped. I do not know that he was held by any one. I

saw the blood on his wrists. He had no blood on his wrists just before he was whipped, when I saw him. I was employed by Mrs. Clark. I suppose that the potatoes for the childrens' breakfast were boiled the day before, from the fact they were so *cold*. I never saw them have spinnach or greens, but have sometimes had them on the 'Teachers' table. In my testimony I did not intend to refer to the Teachers' table. When I first went into the institution the pupils had very good food, which continued for not more than two or three months. I first noticed the change in the bread, which was sour very often. They have sometimes since then had sour bread, but generally sweet bread. The change for the worse began to be general as winter advanced. I never said anything to Mrs. Clark about the change, but it was often spoken of between myself and fellow Teachers. From that time on to the present time the fare has not changed materially. I never said anything to the Lady Managers in reference to the fare, not having had an opportunity. I could have conversed with them if I had gone to their houses, but my time was very much occupied. I could have spoken to the two ladies in my School-room, but never felt at liberty to speak to them of any such thing. I never have said to Mary, the cook, that the provisions here were better than at any other institution I have seen. I never had any conversation with her in reference to the food. I said to Mrs. C. when I first came here, that the children fared as well here as they did in Baton Rouge. I have never said that I thought that the children had too much to eat. This term, Mrs. Clark made it a rule that if any of the children asked for anything the second time, that they should eat up all they had on their plates; and I have said that I thought that this was unjust. Mrs. Clark made it a rule at one time that the children should have bread only a certain number of times when they asked for it; and I have thought, by reason of this, that they sometimes did not get enough. Mrs. Clark often waited upon the children at the table herself. I don't remember that I ever said anything to Mrs. Clark about the difficulty of satisfying children that cannot be reasoned with. I cannot give any reason why tainted meat was supplied; the having of tainted meat was a common occurrence. It was obtained at the corner of Howard and Second streets. I mean to say that it was tainted more than once a week when it came upon the table. I have no reason to believe that Mrs. Clark intended to have tainted meat. I never saw any desire on the part of those having the preparation of food in charge that it should be either good or otherwise. I have seen Henry Giddings, and others have told me that they have vomited after eating. I have seen where they have vomited—this, among them all, after eating the same meal. This has occurred many times—sometimes at dinner and sometimes at supper—generally at dinner. They told me that the vomiting was occasioned by the food which they had eaten, and they said it was almost impossible for them to keep it down while at the table. Henry Giddings very often threw up his food, and all of them would complain to me; how many threw it up I do not know. At the time these things occurred I did not speak to Mrs. Clark about it, but have spoken to her about it. I did not speak to Mrs. Clark immediately about it, because I knew I should not be thanked for doing it; I judge so from her previous conduct. Mrs. Clark and myself have had no serious trouble.

Question by one of the Committee.—Is your position in the institution dependent entirely upon the good will of Mrs. Clark?

Answer.—It is. If I had made complaints to the Lady Managers, I

should have incurred Mrs. Clark's wrath, and she would likely have made it very unpleasant for me. The Lady Managers never asked me any questions in regard to the manner in which the pupils were treated, or as to their food, nor in relation to the progress of those under my instruction. They never had conversation with the pupils in my presence, or through me. The names of some of our most intelligent pupils are, Henry Giddings, Henry Dixon, William Phillips, James Bassett, Jane Bassett, mutes; and Levi Callish, Lizzie Gordon, Anna Bissell, Abalino Lawrence, blind. We have never had less than forty pupils, nor more than forty-eight, since I have been connected with the institution, for the term. The number varies; now ranges from forty to forty-three.

AZEL S. ROE, Jr.

Subscribed and sworn to before me, this twenty-first day of January, eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

TESTIMONY OF FRANCIS ABALINO LAWRENCE.

Francis Abalino Lawrence sworn :

I became an inmate of the Asylum October eleventh, eighteen hundred and sixty, and remained until the twelfth day of June, eighteen hundred and sixty-three. Since then I have been there about two weeks, between Thanksgiving and Christmas. Mrs. Clark's treatment towards me as a pupil has been bad, both as to food and in the punishment. She has punished me for things of which I was not guilty. The punishment consisted in kneeling down upon my knees and receiving a rawhide upon the back, the coat having been taken off by order of Mrs. Clark. One night I wanted to have some sport; the beds were let down, and I was punished. I never was whipped but once upon the back with the raw hide, but have been flogged four or five times for things of which I was not guilty. Am sixteen years of age. Her treatment of us was never pleasant. She would never greet us with a pleasant smile. I know that she had no pleasant smile for us from the manner in which she talked. If we fell into any hole, she had us marked for it; and if we went to her with any complaints, or broke any of her rules, she talked cross to us and asked us why we did it, and if we did not know the consequence of breaking her rules. Her tone of voice at such times was unpleasant. She would never settle any disputes between the mutes and the blind. We had very bad food. For breakfast, we had sour hash very often—nearly every day, with bread and coffee, which was all. The bread was often very heavy; sometimes we had good bread; no butter. For dinner, on Mondays, we had beans and potatoes mixed together, and no meat, but bread. All the time I was in the institution the fare on Mondays was as I have stated. Tuesdays we had soup; potatoes and meat thrown in together, almost like swill, and bread. Wednesdays and

Thursdays, potatoes and meat, which was very often tainted; it was tainted almost half the time. For supper, we had bread and butter very often; half the time we had bread and milk; sometimes bread and molasses. Sunday nights we had gingerbread. On Wednesday nights we had corn bread regularly, always made heavy, and laid on the stomach all night. I never had any tea until the last two weeks that I have been there. On Sundays we had rice pudding. Did not always get enough to eat; have been to bed hungry many a night; have asked Mrs. Clark for food and been refused. Did not always have breakfast enough; only about two tablespoonfuls of hash was put on one corner of the plate; and did not always have dinner enough. Having eaten up all that we had, Mrs. Clark would tell us to eat what we had on our plates, We did not have enough to eat most half the time. Sometimes the food was so bad we could not eat it. I have heard other pupils complain for want of food. I was never well while I was in the institution; I was always sick on account of the food. I do not remember of Mrs. C. ever having gone through the dormitory after the pupils had retired.

his
F. A. ✕ LAWRENCE,
mark.

Attest mark:

• GEORGE A. HILL, Clerk of Committee.

Subscribed and sworn to before me, this twenty-first day of January, eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

FRIDAY, January 22d, 1864.

Committee met at ten o'clock A. M., pursuant to adjournment, at the usual place.

TESTIMONY OF E. H. PARDEE.

E. H. Pardee sworn:

I reside in San Francisco, northeast corner Fourth and Folsom streets; profession, Oculist and Aurist. I have been connected, in the practice of my profession, at the Deaf, Dumb and Blind Asylum in this city. I commenced August first, eighteen hundred and sixty-one, and continued to July first, eighteen hundred and sixty-two, and since July first, eighteen hundred and sixty-two, I have had patients from the pupils in the institution, who have visited me at my office for advice and treatment. During the eleven months in which I was connected with the institution I visited it on an average five times per week; my regular hour for such visits was about four o'clock. During the eleven months of my professional attendance it was quite difficult for me to ascertain the diet which

the pupils had, except from the pupils themselves. I frequently asked Mrs. Clark what the diet of the pupils was, and advised her that certain pupils under my treatment should have certain diet in order to insure their speedy recovery, and upon inquiring further of her if they had such diet, she would say they had in part, or such diet as the balance of them had, which answers were not satisfactory to me. So far as I pressed my inquiries I did not obtain satisfactory answers. If I had pressed them still further I might have obtained satisfactory answers; but to have pressed them further it would have been very unpleasant for me. These instances occurred very frequently. Mrs. Clark called upon me at my office in July, eighteen hundred and sixty-one. She stated to me that there were inmates of the institution whose parents wished me to treat their eyes and ears, and that she had been called upon by a number of Physicians of the city who wished to procure the position of Occulist and Aurist of the institution, but that she had refused negotiations with any of them, knowing that if she could procure my services that I could benefit the institution, by sending pupils, more than any other Physician in town, and that her desire was to fill up the institution with pupils as fast as possible, and that she was willing to give me a fair compensation for attendance. I told her that I would take the matter under consideration, stating that she might call for an answer in two or three days. She called, and I told her that I felt friendly towards the institution, and felt a willingness to aid it in any way that I could. She then wanted to know my terms. I told her that it would be necessary to attend some of the cases daily; I told her that she could almost set her own price; she still wanted my proposition. I told her if I set any price that I could not do it for less than fifty dollars per month. She thought it was reasonable, and would report it to the Board of Lady Managers. She returned the following day, and reported to me that the Board thought thirty dollars would be as much as they would want to meet. I told her all right; that I would attend for nothing if the Board wished me to do so, and we closed at thirty dollars per month. I advised two or three private patients that I was treating to become inmates of the institution, as their friends were poor and it would require a long time to effect a cure, and the prospects were that they never would be entirely cured. I operated upon a young lady, Miss Jane See, one of the pupils that I recommended to go there, for an artificial pupil. I state this to show the reason of the failure. I afterwards, after she left the institution, operated upon her again, with success. The cause of my first failure I attribute to her taking cold; I stated to Mrs. Clark the necessity of extraordinary care and prudence, and of nutritious diet, and that she should lie upon her back, with as little turning as possible, for at least forty-eight hours; I advised her to drop down one of the windows at the further end of the room, for ventilation; I was very particular in giving Mrs. Clark directions as to her treatment, and spoke to her definitely relative to proper ventilation of the room. I recommended, for the first twenty-four hours, a corn meal diet, made thin, so that she could swallow it without moving her jaws, and also to prevent inflammation following the operation. The following day, I inquired of Mrs. Clark if she had received the food I ordered; her answer was that she believed it had been given to her. I then inquired of the patient, (Mrs. Clark was not present,) who told me that she had not received any gruel; that she had asked Mrs. Clark for it, who replied by stating that it was no Hospital; that she must take such fare as the balance of the pupils had; and that she did receive beef and cabbage, instead of gruel. I saw Mrs. Clark

after this conversation with the patient, relative to it; I told her that I had ascertained from the patient that she had not received the diet which I had ordered; that I regretted it very much, as the success of the operation then depended upon the after treatment. Her reply was that she would see that the case was not further neglected. I then ordered a beef tea, which I thought could be more easily prepared, and would be, probably, as well for the patient; and cautioned Mrs. Clark against allowing the patient to get up until I should see her on the following day. Calling on the following day, I did find her up, and the floor wet, from having been mopped out; windows up and door open, with a heavy draught blowing through the room—it being in the summer season, when strong winds prevail; I found the eye swollen and inflamed, a discharge taking place from the nose, and symptoms all indicative of the effects of a bad cold. I saw Mrs. Clark regarding it, and stated to her the condition in which I found the patient, asserting it to be all wrong. She thought it was all right; she thought that mopping the floor was only an act of cleanliness; raising the windows and opening the door only an act of ventilation. I could not approve of the course of treatment the patient had received, and told Mrs. Clark so—telling her that unless the greatest care and attention was bestowed upon her in future, she would lose her eye entirely. I found that she had been taking a kind of vegetable soup; possibly there might have been meat of some kind in it, but it was not what I had ordered. I felt a little disgusted, as the patient was getting worse, and suggested, on about the fifth day, to Mrs. Clark, the propriety of taking her out of the institution. She regretted to have anything of the kind done, that she had had much business to attend to, and that in the future she would see that nothing was neglected in regard to the patient. The inflammatory symptoms proved stubborn for about three weeks; they then gave way to treatment, and the eye was restored to a state of health, but no sight. She remained in the institution about a year and a half or two years, during all of which time her eye never improved at all. When her father requested me to take her out of the institution, (as Mrs. Clark expressed an unwillingness to have her treated in the institution again, saying that the institution was for the education of the pupils, and not for a Hospital.) for treatment, I complied with the father's request, found her a boarding place, operated upon her, and gave her sufficient sight to enable her to walk around—which degree of sight she still enjoys, as I am informed. From the time of my first operation upon her, in the institution, and for seventeen years before that, until I operated upon her again, she was totally blind. I performed two or three other operations upon pupils, without success; I attribute the failure in those cases to the want of proper after treatment. I learned, both from the patients and Mrs. Clark, that the mode of after treatment had not been complied with. I told Mrs. Clark, repeatedly, that unless my orders relative to the after treatment were carried out, that I would be compelled to resign my position, as there was a clash between us—her object being to educate the blind, and my purpose to cure them—when Mrs. Clark would agree to have things done as I ordered them. For a short time after these repeated conversations there was an improvement, which, however, soon relapsed into the old style. I found several pupils there, from eight to twelve, whose sight could be benefited by treatment; found a continuous difficulty in getting my recommendations as to the course of treatment carried out. I have practiced my profession as an oculist and aurist for over seventeen years; most of the time I have had a large practice. I

have never been connected with an institution of this kind in other States, but have frequently visited them. During my connection with that institution as oculist and aurist, and from my knowledge of the diet used by the blind pupils therein, I consider such diet very deleterious, and in no way conducive to the cure of such diseases. In all cases in which there is a constitutional difficulty connected with the disease of the eye, the diet of the patient is of the very highest importance, without which all treatment proves abortive. Many of the pupils were and are afflicted with such constitutional difficulty. I know nothing of the general diet of the pupils, except what they have told me, my hour for visiting them not being at meal time. Mrs. Clark often requested me to visit the institution at meal time, so as to see what the diet of the pupils was. Mr. W. Edgington did not at any time place in my hands any money with which to pay tuition, etc., of his (Edgington's) daughter, Louisa, except, perhaps, twenty-five dollars, which, if I received it, I paid to Mrs. Clark. At various times during my connection with the institution, various pupils of mine have been admitted therein. I resigned my connection with the institution in July, eighteen hundred and sixty-two.

CROSS EXAMINED BY MR. VAN DYKE.

The institution is for the education of the deaf, mute, and blind. I do not think that they had the proper facilities for the cure of the patients operated upon. It is not an Asylum, but merely a School. From my personal knowledge and observation, I do not know but the institution was properly managed in its capacity as a School. Mrs. Clark and myself, I believe, are on good terms.

RE-EXAMINATION.

The object, as understood by Mrs. Clark and myself, in receiving my private patients from time to time into the institution, was to have them taught as well as treated. Certainly there was an understanding between Mrs. C. and myself that the curable cases of those pupils who were admitted into the institution should be under my treatment, and the educational part was under her care. I suppose the reason I was preferred to other Physicians by Mrs. Clark, was my reputation as an Oculist and Aurist. I was generally the Physician of the Asylum while I was connected with it. I have been repeatedly through the buildings, and know their approximate size. During my trip East last winter I visited several institutions for the deaf, dumb, and blind, in Missouri, Michigan, and Ohio, and the one in Michigan which I visited was considerably smaller than this, and had one hundred and thirty pupils, but the Principal and Teachers had rooms outside of the institution. In Ohio the buildings were about the size of this institution, and, if I remember right, the number of pupils was one hundred and eight or one hundred and ten, but the Teachers did not reside in the building. From the institutions which I have visited, and from my experience and knowledge, I think a room ten by twelve feet is ample for the accommodation of two pupils as a sleeping apartment, if well ventilated. In fact, in some of the institutions which I have visited East the sleeping rooms are only ten feet square for two pupils. I think the institution, as it now stands, taking the two wings, and making due allowance for the accommodation of the Teachers, attachés, and servants required in the institution, would comfortably accommodate about eighty pupils.

E. H. PARDEE.

Subscribed and sworn to before me, this twenty-second day of January, eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

AFTERNOON SESSION.

FRIDAY, January 22d, 1864.

Committee met at two o'clock.

TESTIMONY OF MRS. GEORGIANA WOODTHORPE.

Mrs. Georgiana Woodthorpe, being sworn, says :

I reside at Mare Island with my son-in-law, Mr. Henry Keyser, Assistant Master of the Navy Yard. I was first employed as a Teacher of the blind in the Deaf, Dumb, and Blind Institution in this city on the thirteenth day of January, eighteen hundred and sixty-two, and continued from that time until the end of June, eighteen hundred and sixty-three. I never had taught in a similar institution, but had visited them in Paris and London often—very often in Paris—where I resided ten (10) years, and was a Professor of Languages. There were no general rules in this institution while I was teaching there; they were made and broken so often that they amounted to nothing. The food was, almost all the time, insufficient and bad; for months and months the bread was uneatable. I always dined in the same room with the pupils, but at a different table, only two or three feet from their table, at the utmost. Very often, when the children have complained, I have tasted their food, and found it very bad; sometimes they have left the table without eating anything, owing to the quality of the food; sometimes they have asked for some dry bread, and I have got up to give it to them, and Mrs. Clark has prevented me; this occurred frequently. I have often known the larger deaf and dumb boys to get up in the middle of the night and go down and steal bread from the pantry, and eat it in bed, because of their hunger. The blind ones would have done it, only they could not see, poor things. One boy, Ransom Smith, used to complain, on leaving the table, that he scarcely ever had enough to eat. He once complained to Mrs. Clark in my presence. I do not remember what reply she made. I was accustomed to hear so many complaints that I became almost calloused to them. Mrs. Clark sometimes treats the pupils very bad—not very often. She had two blind boys whipped, to my knowledge, with a cowhide, until the blood came through their skin; one was Abalino Lawrence, and the other Levi Callish. They were taken out of my School room, to be whipped, during School hours, and taken into another room and whipped by a Deaf and Dumb Teacher, named John Larue, by the order of Mrs. Clark, and in her presence. Immediately on being whipped, they were returned to my School-room, when I saw the marks of the whipping upon their arms and backs. I considered the whipping very severe, particularly upon infirm children. I never saw children whipped so badly before, and I have taught School for twenty years. At times, I have had

fifty children under my care. I have heard Mrs. Clark, very often, call some of the pupils, sometimes one, and sometimes another, liars and thieves. She has used the same language to Mr. Roe, while he was a Teacher in the institution, in my presence, and in the presence of Mr. Striby, and the servants, and she has called me a thief in the presence of Mr. and Mrs. Roe, and the deaf and dumb Matron. She only called me so once. If she had called me so again it would have been her last. In her general treatment of the pupils, whenever they have been sick, they have not been treated as sick pupils ought to have been. She has shown only the conduct of a heartless woman in her treatment of the pupils under her charge. One circumstance which goes toward making up the opinion I have just expressed is the case of Mary Coates, a deaf and dumb girl, who was sick, and complained during three months, without having any attention paid to her, growing worse continually, until, finally, she nearly fainted in Mr. Roe's School-room, when Mr. Roe came and told me of her extreme illness, and I resolved to aid her; so, without saying anything to Mrs. Clark, because I knew that she would prevent me from doing what I intended, and upon consultation with the Matron, who begged me to do it, I took her, in the night time, without the knowledge of Mrs. Clark, to Doctor McIntosh, on Second street, in this city, who prescribed for her, and I bought the medicine out of my own purse. She then recovered, under my care and the Doctor's treatment. I know Mary A. Coates' handwriting, who, I am informed, is now deceased. The letter produced, marked "Exhibit A," is written by and in the handwriting of Mary A. Coates, and was written to me. The other case happened on the first of May last, on a visit to the Industrial School. A deaf and dumb boy, named Henry Dixon, received a severe wound on the head, and although Mrs. Clark came there in her carriage, and although I begged of her to return to town and send me a Doctor, she neglected it, and I was left to dress the boy's head, with the help of the cook of the Industrial School. It was only when Mr. McGlynn, the proprietor of the omnibus line, happened to hear of it, he came himself with a Doctor a little after nine o'clock at night. The accident happened about eleven o'clock A. M. I asked Mrs. Clark immediately after the accident happened to send me a Physician. She soon afterwards returned to town in her carriage, and I saw no more of her that day. I am informed that it was through Mr. Lynde, of the Industrial School, that Mr. McGlynn heard of the accident, the driver having been also hurt at the same time. I stayed with the boy at the Industrial School over night, and we returned to the institution in the morning. I dressed his wound every day until the thirteenth of June, when he went to his parents at Rio Vista. The wound had not then healed—it was a very ugly wound. These are the two principal cases of heartlessness on the part of Mrs. Clark which have contributed to make up my opinion as above expressed. I had ample opportunities of knowing about the diet of the pupils from seeing it upon the table. The diet from day to day, in the morning, consisted of hash, a little bread, and a weak cup of coffee. The Housekeeper will be able to tell you of what the hash was composed better than I can. The dinners were varied—sometimes they had pork and beans, and bread; sometimes they had a little meat and potatoes; sometimes soup—meat soup. Very seldom they had any fruit for dinner—sometimes they had an apple each, or a few grapes, but those things occurred so seldom that it was hardly worth while to mention them. The pupils never had butter for breakfast or dinner. The pupils never had any oranges, except two or three times, when a few were sent in by different

persons as presents. No oranges were ever purchased by Mrs. Clark for the benefit of the pupils, to my knowledge—if she had ever done so, I should have known it. For supper, they very often had cold bread and milk; at other times boiled rice and milk; and some days mush and molasses—but never any two of those at the same time. On Sundays, they had sometimes boiled apples, and *very, very seldom*, bread and butter. They never had bread and butter except on Sunday, and then only as I have stated. They *very, very seldom*—so seldom that I can scarcely recollect it—had fruit on week days for supper. On Sundays, in the fruit season, they had fruit. The size of the pieces of bread, which were placed on their plates, was about four inches in length, and about one inch in thickness, and the width of an ordinary loaf. None of the pupils were allowed more than one of these pieces at a meal, except for some of the larger boys, who were allowed two pieces sometimes. I have seen Mrs. Clark go around the tables very often, and take away some of the bread which had been placed there by the servants for the pupils. Nothing was ever placed upon the table to eat except what was placed upon or close by the plate of each pupil. The meat, I consider, was of the cheapest kind that could be bought—the corned beef was often tainted. The fresh meat, judging from seeing it upon the table, consisted of the poorer parts of the bullock—the neck, etc. Sometimes Mrs. Clark has asked the pupils if they had enough to eat. Sometimes they would say yes, and sometimes no, when she would tell the noes that she thought that they had had enough. The children who were provided with clothing by the institution were very poorly clad, oftentimes not having the necessary change. The children would complain of want of clothing, and the Matron would ask Mrs. Clark for materials out of which we could make up clothing for them; but Mrs. Clark would reply that everything was too dear, and that she had not enough money allowed by the State to do so, and that she herself could not afford it. Mrs. Clark gave the children no attention at all in regard to cleanliness. The heads of the children—deaf, dumb, and blind—for months and months were full of vermin, until I took them in hand myself, and on every Saturday cut their hair, combed, and cleaned it. The parents first complained of the want of cleanliness to Mrs. Clark. Mrs. Long took away her daughter on that account in September, eighteen hundred and sixty-two, I believe, and she has not returned since. When complaints were made to Mrs. Clark of the uncleanness of the pupils, she would reply that it could not be helped—they were always so in such institutions. After I took them in hand I succeeded in getting them clean, and in keeping them so. Mrs. Clark's family occupied seven rooms, all in one building—four bedrooms, two sitting rooms, and one private dining room. I think the buildings now there will accommodate conveniently eighty pupils, reserving sufficient rooms for the Principal and family, as well as the Teachers. I had a Boarding School of my own for four years, in Melbourne, Australia, with an average attendance of fifty pupils, all of whom, together with the Teachers, (three,) roomed and lodged in the building—therefore, I know what capacity of buildings are necessary for a given number of pupils. For the year and a half that I was teaching at the institution, I only ate at Mrs. Clark's table once. The Teachers all eat at a table by themselves, in the dining room with the pupils. I don't know what the fare was upon Mrs. Clark's table—I never troubled myself about it. The fare of the Teachers' table was sometimes very bad—the bread frequently so bad that I had to send over to the grocer's to buy some. The meats were sometimes good and

sometimes bad. The children (boys) after School hours were always locked out of the School-room, and obliged to remain in the yard, whether it poured rain or not, and were compelled to huddle in the woodshed or wash-house to keep out of the rain and cold. They were let out of School at half past three o'clock p. m., and kept out till supper time, at six o'clock, at all seasons of the year—it being at some seasons dark before supper time came. About a dozen of them, ranging from eight to twelve years of age, were thus kept out, and others older. I refer to all the boys in the School. In the morning they breakfast at six all the year around. After breakfast they were kept in the yard, as before stated, until a quarter to nine, when they were called to prayers, except those who had to practice music. There was a School-room in the building ample to accommodate three times the number of pupils, in which they might have stayed mornings and evenings, and I know of no reason why they were kept out, except the order of Mrs. Clark. Often in very bad weather, Mr. Roe and myself allowed them to stay in the School-room until Mrs. Clark heard of it, when she ordered the doors to be locked and the keys to be taken over to her. She would not permit it. The order was just as peremptory the year round, without regard to the inclemency of the weather. During the winter of eighteen hundred and sixty-two, from the time when I became connected with the institution, there was no extra clothing provided for the children, who were very scantily supplied, many of them without undershirts, and had to pass, both boys and girls, at six o'clock in the morning, in a pouring rain, without cloaks or hats, to their breakfast. Mr. Crandall, the Deaf and Dumb Teacher, carried the little ones in his arms backwards and forwards through the rain. The stoves were removed from all the rooms occupied by the pupils and Teachers on the twenty-second of February, eighteen hundred and sixty-three, and it was often so cold that Mr. Roe and myself were obliged to sit in our School-rooms enveloped in our cloaks, in order to keep warm. The reason she gave for taking out the stoves was, she wanted to have the rooms cleaned; the rooms were cleaned, but the stoves were not returned. The following named persons were not in the institution after I went there, at the times as follows: Mary Holman, left in December previous, and was never in the institution during the time I was. Lucinda Ford, left in June, eighteen hundred and sixty-two, and returned no more during my stay. Angelina Maxwell, left in June, eighteen hundred and sixty-two, and did not return. Mary Long, left in September, eighteen hundred and sixty-two, and returned no more. Thomas Bebee must have left in October, eighteen hundred and sixty-two, and returned no more—he was only there two months. Louisa Edgington, left in June, eighteen hundred and sixty-three, and returned no more. Christina Clayton, left in April, eighteen hundred and sixty-three, to return no more. Samuel Clanton, left in June, eighteen hundred and sixty-three, and returned no more. Bridget Doran, left in September, eighteen hundred and sixty-two, and returned no more. Mary Wright, left in June, eighteen hundred and sixty-three, and has not returned. Susan Wertheimer, left in June, eighteen hundred and sixty-three, and has not returned. Emma Downey, left in February, eighteen hundred and sixty-three, and returned no more. Mary Coates, left in February, eighteen hundred and sixty-three, and returned no more. Francis A. Lawrence and Levi Callish, left in June, eighteen hundred and sixty-three, and were absent at

least three or four months. Jane See, left over four months ago, to return no more. Horace Seeley left, I believe, four months ago, and has not returned since. On Sunday, the twenty-third of February, eighteen hundred and sixty-three, I believe it was, Mrs. Clark asked the Matron, Miss Cornell, to help her to make up some extra beds in the boys' sleeping room, as she expected a visit from a Committee of the Legislature. The Matron refused to assist, and Mrs. Clark, with the help of her own servant, did it. Miss Cornell told me, in the deaf and dumb language, that she would not assist to act a lie on Sunday. I did not go up, myself, to see how many extra beds were put up, but some of the boys told me that there were so many that they could scarcely get around. No person was known, either to the Teachers, or the pupils, or employés, as having any authority to modify or counteract the orders of Mrs. Clark, whom we all deemed the supreme power of the institution, employing and dismissing Teachers and employés at her will, and even boasting that the Managers and Trustees left everything to her. There was a very slight reason why Mrs. Roe was discharged from the institution, where she had been employed to teach crochet work for her board. The reason was—one day Mrs. Roe felt unwell, and sent over to have Mrs. Clark take the children that afternoon, but Mrs. Clark accused her of idleness on that account, and ordered her to leave the institution that afternoon in a pouring rain. There was no other reason that I know of. This was soon after the arrival of one of Mrs. Clark's sisters from the Eastern States, who was immediately employed to teach in Mrs. Roe's place. Her name was Mrs. Taber—since deceased. I have known repeated acts of cruelty by Mrs. Clark to a poor deaf and stone blind girl, by the name of Daisy, taken from the Protestant Orphan Asylum against the will of Mrs. Clark. She was eighteen years of age. When I first entered the institution, Mrs. Clark forbade me to teach the girl, saying that she was an idiot; but perceiving that she was capable of receiving instruction, I used to teach her in secret, which I did because I was afraid it might come to the knowledge of Mrs. Clark. But, during an illness which confined me to my bed several days, Mrs. Clark found that the girl was studying a book; she took it from her, and forbid her to touch any under pain of severe punishment, and very often, when I have seen the girl amusing herself by singing in the play-room, Mrs. Clark has gone up to her, pushed and shaken her in the roughest manner. It was particularly to this girl I alluded when I stated that some pupils had not proper clothing provided for them. She could hear a little with one ear—sufficiently well to be taught, by having her close to me. Mrs. Clark's family consisted of Mr. and Mrs. Clark, her little niece, Mr. Clark's niece, Mrs. Taber, (Mrs. Clark's sister,) until she died, a female servant named Eliza Harwood, and a man servant whose name I do not remember, who was changed from time to time. Her servant used to clean Mrs. Clark's room, dress her, and assist in arranging the pupils' food. The man servant used to attend to the horse and carriage, drive Mrs. Clark out, and sometimes get wood into the institution. Only two other servants were employed in the institution while I was there—the cook and laundress. The large deaf and dumb girls were always sent over to make the boys' beds and sweep their rooms. During my sojourn in the institution I never saw one of the Trustees enter the gates of the institution, except Mr. Clark, who resided there, and Mr. Randolph upon one occasion. Mr. Clark never interested himself either in the welfare or progress of the children, and never entered my department but once, and then it was to see about a stove pipe. The Lady Managers used to

meet on the first Thursday in the month, but frequently no more than two or three were present. They were accustomed to attend my public examinations, and sometimes they would come on Wednesdays, when we received visitors. Just before the vacation in which I left, Mrs. Clark stated to me that she did not wish to allow my salary during the vacation. I told Mrs. Clark that in every institution the Teachers were paid during the year without diminution, and that if my salary was not allowed I would not return. She then told me to wait a few days, when she would see what arrangement could be made. A week before the vacation she called me and told me my salary should be paid during vacation, at the same time she requested me to go to the Secretary of the Steam Navigation Company to ask for a free pass for twelve or fourteen pupils, which I got, saying, "If you will accompany them and deliver them safely into the hands of their parents, I will pay your expenses, and it will be an agreeable trip for you." There was no controversy between Mr. Roe and myself as to which of us should go with the children. I did what she required, and on my return, when we came to the settlement of accounts, she denied having ever promised me my salary during the vacation, upon which I felt so indignant that I told her I would never enter the institution again, and that she was a dishonorable woman. The time for which she refused to allow me the salary, as promised, was during vacation, while I was taking the twelve children and the Matron to their homes, and was looking through the country for deaf and dumb and blind children for the institution. She has never paid but part of my expenses for that trip. The length of that vacation was six weeks.

Question.—What has been the general conduct of Mrs. Clark towards the pupils? Has it been kind, motherly, and affectionate—showing a watchful desire on her part to promote their interest and comfort?

Answer.—Mrs. Clark has never shown any desire to be kind, affectionate, or motherly, nor has she shown any desire to promote their comfort during my stay at the institution. I have never heard a tender expression from her to any of the pupils, except to a little deaf and dumb boy named Theophilus De Rutte, and a little deaf and dumb girl named Mary Adela Rogers.

SATURDAY MORNING, January 23d, 1864.

Committee met at half past eight o'clock, at the usual place.

CONTINUATION OF MRS. GEORGIANA WOODTHORPE'S TESTIMONY.

CROSS EXAMINED BY MR. VAN DYKE.

In regard to the case of punishment of two pupils: I know what it was for; it was for a very slight offence. They got to playing in their bed rooms, and a bed was broken down; that was all that they did, to my knowledge. I do not know that the bed was broken more than once. I never heard that any of the little boys were injured by the boys who were whipped. I never heard that any one was in the beds when they were broken down; I only heard that some slats were broken down. I

heard Mrs. Clark, before this, several times, complaining of the noise by the boys in the bed room, and trying to ascertain who was the author of it. It was not for the injury to the boys, but the noise—she sleeping underneath their room. I never used any improper language before the pupils; I am not in the habit of so doing. The conduct of the pupils, some of them, was very unruly and trying to one's patience at times. In regard to Mary Coates: was a deaf and dumb pupil, and was not in my School-room, and therefore I did not know what happened to her very often. What I stated concerning her yesterday was from her own complaints to me, as well as the desire of Mr. Roe that something might be done for her relief when she was taken so ill in his School-room. I do not know whether Mrs. Clark nursed or cared for Mary Coates. I do not know whether she bathed her feet; I do not recollect. I think I told the Matron, Miss Cornell, to soak her feet in weak lye water. I do not know whether it was done or not. In regard to the boy who was injured at the Industrial School, Henry Dixon: it was agreed with Mrs. Clark that I should remain, and that she should return to town for a Doctor. I did not propose to remain in place of Mrs. Clark, but in the place of Miss Cornell, the Matron. Mrs. Clark said she would send for a Physician, and I do not know that any other arrangement was made to procure one. The Superintendent, Mr. Lynde, being absent at the time, I was occupied by attending to the wounded boy, and did not know what was going on outside. Mr. McGlynn, having heard of the accident, came to the Industrial School, asked Mr. Lynde if we had seen a Doctor, and when informed that we had not, he returned to the city and brought one out, as above stated. In regard to the cleanliness of the pupils: it is certainly not the duty of the Principal to do it herself—to dress their heads, etc.—but the duty of the Matron. I know that Mrs. Clark directed the matron to attend to the deaf and dumb pupils; she did not do this very often. I complained to her myself, and when I saw that it was neglected, I did it myself, as I have stated before. She gave me, when I asked for it, some alcohol to wash the children's heads with. In regard to Mrs. Long, who took her child from the School: she took offence at Mrs. Clark because she would not allow the child to go home every week—I believe it was; but Mrs. Long's principal complaint to me was the reason I before stated. She was angry before that, but there was some agreement, and everything appeared to be pleasant, so far as I knew. Mrs. Long wanted to have her daughter return home every week, to which I objected, as also did Mrs. Clark; contrary to the rules of the School. In regard to diet: the bread used in the institution was baked there. I do not know what was used on the Principal's private table. I do not know from whence the meats and potatoes were obtained. Mrs. Clark *lunched* with the Teachers when we dined; she *dined* when Mr. Clark came home at six. I do not know whether the same food is used throughout the establishment. I can only testify that I took one breakfast with Mr. and Mrs. Clark, when the food was very different from that on the tables of the pupils and Teachers. In regard to the children being sent out of doors: it *might* have been for *exercise*, if she chose to have them exercise in the rain. The boys could not go into the School-room out of School hours, even though some of the Teachers were there; the doors having been locked by order of Mrs. Clark, and the keys taken to her room. One reason given for their not being allowed in the School-room without some one in charge was that they would break or overturn the desks and furniture. It is my opinion that some one ought to have been in the room to have taken charge of

the boys when they were in the room. From the situation of the buildings it was necessary that the girls should pass from one building to the other, but a covering could have been provided at small expense. Two hundred dollars would have made a gallery from one building to the other. I was not discharged, but discharged myself. I never said I would get even with Mrs. Clark for discharging me, but have said that I would *expose* her. She wrote me a kind of discharge after I had discharged myself, many days after I left the institution. I never saw Mr. Randolph but once at the institution, and Mrs. Clark remarked herself that it was strange that he did not visit the institution before he left for the East. Thomas Beebe, I stated, left in September, but he left in October. I left the institution finally at the end of June, instead of the thirteenth of June.

GEORGIANA WOODTHORPE.

Subscribed and sworn to before me, this twenty-third day of January, eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

AFTERNOON SESSION.

SATURDAY, January 23d, 1864.

Committee met at one o'clock.

CONTINUATION OF MRS. GEORGIANA WOODTHORPE'S TESTIMONY.

RE-EXAMINATION.

In reference to the want of attention given to the pupils, I remember the case of a little blind boy, by the name of James Hanley, who had worn his flannel shirt so long that the Matron took it off to have it washed, without being able to supply him with another. When it was taken off to be washed, the garment was black with filth. I saw him shivering with the cold, and ascertaining the cause, wrapped him in one of my shawls, to keep him warm. Also, I remember the case of Daisy Bailey, who wore one of her under garments for a great length of time—more than a month, I should think, by the appearance of it—the Matron not being able to give her a change. Mrs. Roe, being informed of the circumstances, kindly supplied her with one of her own, to keep her warm.

CROSS EXAMINATION CONTINUED BY MR. VAN DYKE.

The clothing of the children, provided for them by their parents when they entered the institution, was generally good. I think, during the latter months of my stay at the institution, Mrs. Clark paid less attention to the clothing of the pupils than she did when I first went there. When I first went there I was not as observant as I was afterwards.

I never told Mrs. Clark that Daisy was incapable of receiving instruction, or that I could not teach her; upon the contrary, I taught her to do bead work as well as any pupil in the School. She learned her letters, the multiplication table, the commandments, the capitals of all the States, and the commencement of sacred history, as well as the names of all the Presidents of the United States, while she was under my care.

RE-EXAMINATION BY COMMITTEE.

I know that she did, upon an average, more bead work than any other pupil in the institution, because she did nothing else the whole time.

GEORGIANA WOODTHORPE.

Subscribed and sworn to before me, this twenty-third of January, eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

TESTIMONY OF MISS ELIZABETH S. CAMERON.

Miss Elizabeth S. Cameron, sworn :

I have been Teacher of the blind in the Deaf, Dumb, and Blind Asylum since the first day of August last. My salary is fifty dollars per month, and board and lodging. My private expenses I pay myself. I teach the English language to all the blind pupils, both boys and girls, in the institution. Last term I had about twenty names, but an average attendance of not over seventeen. Thomas J. Beebe and Mary Jane Long have not been in the institution since I have been there. Mary Holman has been there one day only, which was some day this week. Mr. Crandall brought her in, as she told the children, to spend the day. Abalina Lawrence was only connected with the institution for three or four weeks just preceding the close of last term. Horace J. Seely was there about two months from and after the time when I went there. His sight was recovering, and he was taken away. W. H. Smith came either the seventeenth or eighteenth of December, and has been there ever since. Virginia Lowenberg came, I should think, the last of November or first of December, and remained in the institution until the close of the term, the day before Christmas, when she went home, and returned about ten days. Jane See was not in the institution when I went there, although she had been formerly. She came afterwards, and remained two or three months, when she went away, and has not returned. I think more than three fourths of the pupils remained at the institution during vacation. I took my meals with the other Teachers, in the same room with the pupils, with the exception of the first day, when I ate dinner with Mrs. Clark, and on the following day, when I took my breakfast at her table. From the fact that our table is near the table of the pupils, and having considerable interest in their welfare,

I always took more or less notice of the food upon their table, and had opportunities of knowing about the quality and quantity of the same. The character of the food I should consider was not always such as parents would place before their children—I don't consider that the food was always fresh. Sometimes the children had food placed before them which was repulsive to them—food which is agreeable to some is not so to others, and they had to eat it or go without. I mean by saying that it was not *fresh*, that both the bread was dry and the meat was tainted. This was the case frequently. I once saw one of my pupils, Ransom Smith, made very sick from the effects of his dinner. I remember that the meat for dinner on that day was tainted, both from the smell in the house and the complaints of the children. The character of the food placed upon the Teachers' table was generally good—the meats were sometimes tainted. I remember one time when the corned beef was so badly tainted that I could not eat it—Mrs. Clark, however, eat of it. We have often had tainted sausage and souse. Once, about two months ago, we had a brace of wild ducks for dinner on Sunday, which were so badly tainted that the odor was sickening all over that floor of the house. Mr. Roe removed them from the table before I came in. The next day a duck was brought to our table for a second kind of meat, which none of the Teachers dared taste. It was cold. Mrs. Clark brought it herself, and I had every reason to think it was one of the same ducks which Mr. Roe removed from the table the day before. We had cold sliced ducks on our table that day and the day following; afterwards, the children had sliced duck upon their table—whether cold or hot I do not remember. The odors from the ducks extended to our table, and were supposed to be the same ducks I have mentioned before as being upon our table. I think the children finally ate the duck. The cold duck on our table of which I have spoken smelled badly, but not as bad as when it was warm. I did not mention this to Mrs. Clark, as she must have known it from the odor in the house. Perhaps two or three times in a week we had beefsteak for breakfast. We always had roast meat of some kind for dinner, except on Saturday. Relative to the fare of the pupils: I never saw their table when I thought I could sit down and eat at it, except sometimes at dinner, for the reason that I never saw anything upon it except at those times that I thought I could relish. I think there is less cause of complaint as to quantity than quality; yet I have heard some of the pupils say that if there had been fewer dogs in the yard there would have been more to eat upon their table. I never have seen an orange in the dining room since I have been there. The pupils at dinner only, generally on Sundays, and sometimes on other days during the fruit season, would have fruit upon their table; but never except at dinner. The fruit, generally peaches or grapes—never but one kind at a time—was distributed at the table by a servant, after the children had finished their meal, placing it upon their plates. I never saw but one peach given to any one pupil at any one meal. If they had grapes, a few grapes were given to each pupil. I never saw an apple placed upon the table of the pupils, nor any other kind of fruit, to my knowledge, except as before stated. I remember at one time Mrs. Clark bought a large lot of pears, which, after they commenced decaying, were, I think, given to the children in the yard. The children have generally been comfortably clad, and generally, most always, they have been kept comfortably clean. Mrs. Clark's treatment towards the children was not such as won their love and respect, but rather excited their fear. There was the strongest feeling against Mrs. Clark among the pupils when I

first entered the institution, but, knowing I would not allow it, they ceased to speak against her before me. The treatment of Mrs. Clark of the pupils has not been kind, watchful, or parental; and I have known instances, which Mrs. Clark must have known, when the pupils needed attention and care, and did not receive it from her. I do not know whether it was Mrs. Clark's neglect, or that of the Matron. I never was connected with any other similar institution. There was a fire kept in the large sitting room for the girls, and there was no fire for the boys until one was lighted at a quarter to nine o'clock in their School-room, except on Saturdays and Sundays. On Saturdays there was no fire in the School-room, and on Sundays the fire was lighted at one o'clock P. M. The pupils were first allowed to enter the School-room at a quarter before nine o'clock A. M. Breakfast always at six o'clock, except on Sundays, when we breakfast at seven. The male pupils walk in the yard from the time breakfast is over until School commences, at all times, so far as I know, without regard to the weather. The blind boys sometimes come for shelter into the hall, where they would sit and play upon the floor. I know of no reason why they should be kept out of doors, except that Mrs. Clark says that they would destroy the furniture in the School-room. When kept out, they have no place of shelter except the woodshed, so far as I know, which is open upon one side. I mean by their being shut out, that they were locked out by the orders of Mrs. Clark. I close my School at half past four P. M. We have supper at about six o'clock. From the time the School closes until six o'clock, the pupils are exercising in the yard, except when they are practising their music, and they practice out of School hours. In case of rain the blind boys hover in the hall; I do not know where the deaf and dumb boys go. When the days were the shortest, we had supper fifteen minutes earlier at times, but there was no regularity about it; but we never had our supper on week days any earlier. The male pupils were kept out from the closing of School until supper, without regard to the inclemency of the weather or the season of the year. Mrs. Clark occupies seven rooms for her servants and family. One of the seven rooms has been occupied by Mr. Crandall for about two weeks, when several of the boys were sick in his room. Mrs. Clark has three maid and one man servant, besides one private servant named Eliza Harwood. We have an evening session in my School-room three evenings in each week until seven o'clock, and three evenings in each week until eight o'clock, when I read to the children, and have some exercises in history. I have observed that Mrs. Clark is at enmity with every Teacher who has ever been engaged in the institution and has left it, and I have felt seriously the effect of a want of confidence in Mrs. Clark in her capacity as Principal. I have no feelings of enmity against Mrs. Clark, and never had any difficulty with her.

ELIZABETH S. CAMERON.

Subscribed and sworn to before me, this twenty-third day of January, eighteen hundred and sixty-four.

H. L. DODGE,
Of Committee.

MONDAY, June 25th, 1864.

TESTIMONY OF WILLIAM STRIBY

William Striby, being sworn, says :

I was Teacher of Vocal and Instrumental Music in the Institution for the Deaf, Dumb, and Blind in this city, from the first day of November, eighteen hundred and sixty-two, until the first day of June, eighteen hundred and sixty-three. I heard the pupils complain of the food very often. I was in the habit of taking my dinner at the Teachers' table, but I never tasted the food on the pupils' table. They complained of the quality of the food. I know, also, that the meat was tainted, from the complaints of the pupils. I left the institution twelve days before the close of the term, on account of the many eccentricities of Mrs. Clark. I mean, by her eccentricities, that she gets excited, and is not very particular in regard to the use of her language either to the Teachers or pupils. Mrs. Clark engaged me at my house just before the first of November, eighteen hundred and sixty-two, as Teacher of Music, at fifty dollars per month, for two days in a week during School hours. On the first day Mrs. Clark remarked that she thought I could not get through with all the pupils in one day—twenty-two lessons, which I gave one pupil at a time usually. She never told me how to do, and I took two or three at a time, in order to get through and give them all regular lessons, that they might improve. I taught on in that way until spring, when the President of the Oakland Female College offered me a situation in her School. I told Mrs. Clark that I was sinking money, and asked her if the State could not afford to increase my salary, as I was really doing a week's work by doubling and trebling the lessons. She replied that there was no money in the State Treasury, but that at the close of the term she would give me, for my benefit, the income of one night's exhibition, in order to indemnify me for such extra labor. Towards the close of the term Mrs. Clark told me that the Lady Managers had decided not to have any exhibition or concert. I asked for the names of the Lady Managers; she gave them to me; I saw them, and they consented. When I went back to Mrs. Clark she refused, saying that Mr. Clark did not want it, &c. I told her that, legally, I could get it, as I had a witness to her promise—Mr. Roe being that witness. I asked Mrs. Clark for a reason. She said that she wanted a concert in the fall, for the purpose of procuring carpets, &c., for the new wing, and that if I had a benefit now she could not have one in the fall. I told her that Mr. Roe told me that she was willing I should have a benefit. She told me that Mr. Roe lied, and that she would tell him so to his face. She said this twice in the presence of a pupil—Miss Jane See. She further said that she would have to write home and obtain the consent of the parents of all the pupils before such pupils could appear at the concert. She told me, at the same time, that she had the sole control of the institution. I know that such was not the custom; it always takes place in every School at the end of the year. In the course of a few minutes it was known all through the School-room that Mrs. Clark had accused Mr. Roe of telling a lie; the whole School knew it—pupils and Teachers. After dinner, on the same day, in the presence of Mrs. Clark, Mrs. Wood-

thorpe, and several of the pupils, Mr. Roe called me up and desired me to state what Mrs. Clark had said in reference to his telling a lie. I then repeated the conversation which I have before testified to. Mr. Roe turned upon his heel and left abruptly. I then remarked that I was sorry that I had been the innocent cause of causing Mr. Roe to be insulted; I also told Mrs. Clark that she was the most hard hearted woman I ever knew; that it appeared as though she was taking the bread out of my children's mouths; that she knew I had lost all my property by the rebellion in the South, and was a poor man. She made no reply to Mr. Roe, but sat musing for five or ten minutes before I made the last remark to her, whereupon she told me that I was discharged. I told her that I would not go until the end of the month. I was willing to teach the other twelve days of the term as a donation, but there was so much uproar that I concluded not to remain. The children were very anxious to have me remain, but they said Mr. Clark threatened to put me out.

Q.—Did Mrs. Clark often scold the children in your presence?

A.—I think not more than they needed until this affair happened, when there was continual scolding and uproar. I have observed that blind children are more docile and need less scolding than those in possession of all their faculties. I think of nothing more that I know of my own knowledge. I have been Teacher of Music in various institutions for the last twenty-five years, and from my experience and what I know of Mrs. Clark, she is very unfit for the position she occupies: she being very easily excited, and when excited she makes remarks very undignified and unbecoming in a person in that position, and lowers the dignity of the School.

CROSS EXAMINATION BY MR. VAN DYKE.

I was to teach during School hours, no particular number of hours being mentioned, but I did teach both before and after School, as well as during most of the dinner hour. I taught only two days in the week; the time was my own for the balance of the week. I left the institution in a perfect uproar; I left perfectly cool myself; I am too old a man to be excited by so young a woman. I do not believe one pupil in the School loved Mrs. Clark, and I was told by the pupils that Mrs. Clark refused to let them bid me good-by. I have no feeling of enmity against Mrs. Clark. I am considered a kind-hearted man. I think Mr. Clark was more to blame than Mrs. Clark in regard to the refusal about having the concert, which was a part of my pay.

Q.—Have you attempted to get or entice the blind children away from the institution to aid in a concert in your behalf?

A.—No. The blind children offered in the vacation, when they were under their parents' control, to aid me in my concert. I refused to have them do so during the term, while under Mrs. Clark's control. The main object of having a concert was to raise money for myself and gain a reputation as a Teacher; raising money was secondary. I offered to give the proceeds to the institution or to any other charitable institution. First, I wanted it for myself, but when she refused, then I offered to give it to the institution. I have not been spoken to on the subject of this investigation by Mr. Roe or by Mrs. Woodthorpe.

RE-EXAMINED.

When the children desired more bread or food than was upon their

plates they had to ask for it; it was not set within their reach, and although it was not refused, they would not be likely to ask for it a second time—it was given in such a way. It only occurred a few times while I was there that they asked for more.

WM. STRIBY.

Subscribed and sworn to, this twenty-fifth day of January, eighteen hundred and sixty-four, before me.

H. L. DODGE,
Of Joint Committee.

TESTIMONY OF MRS. B. LONGNIFE.

Mrs. Barbary Longnife:

I reside in this city. I have had a daughter in this institution. I took her away from there the sixth of October, eighteen hundred and sixty-two. She entered in eighteen hundred and sixty, in the spring. Her name is Mary Jane Longnife—entered on the books as Mary Jane Long. I took her away on account of the treatment she received there. The treatment on account of which I took her away commenced from the time they moved from Tehama street to the present building. The first week she went out there the diet was such that it made her sick—gave her a diarrhœa, which she had, off and on, all the time she was there. She never had been accustomed to have it before, nor has she had it since. No care was taken to keep her clothes clean from the effects of this complaint. She was ten years of age in eighteen hundred and sixty, when she entered the institution. She was attacked with this disease on the first Wednesday after moving into the new building. She was unable to get to the water closet, or to help herself in any way, so that her clothing became very filthy from the effects of the disease. I think she had a change of clothing with her at the institution that week, but am not sure. They brought her home on the Friday following, when her clothes and person were very filthy, and her head had lice in it. They brought her home to have her clothes washed and get a change of clothing. We never left her but two weeks at a time, except the last time, when she was there three weeks. Always, when she came home, it would take me all day Sunday to get the lice out of her head; her clothes and person would, also, be very filthy, as the water closets at the institution were not kept clean, and, going to stool, the blind would get their clothes bedaubed. They never washed a piece of clothing for her while she was in the institution. I used to take my daughter back to the institution frequently after she had been home, and while there I would go into the water closets with my little one. I always found them very filthy—*never clean once*. I complained to Mrs. Clark about the food for breakfast making my daughter sick, as she almost always would vomit it up, and that it caused a looseness of her bowels, and told her that if she had nothing better, to give her bread, and *tea*, if she had it. Mrs. Clark said that she had as good as the rest had. The last time I took her back to the institution and complained to her, I took Mrs. Brash with me, and Mrs. Clark said to Mary: "This is a pretty time of day to come back to School. It is not

us who are losing, but it is you." Then I said: "Mrs. Clark, it is long enough for her to stay here two weeks at a time; this time you have kept her three, and I have come to tell you what condition she comes home in;" and I then told her in what condition I had found her head and clothing; that her head was so lousy that I could not endure her staying there over two weeks at a time. She said if I was not going to put up with the rules of the School, as other pupils did, I might take her home. I told her that if she was going to send her out in that condition, that she might send her, though I would go home and tell my husband what she had said, and see what he thought about it. Mrs. Clark then said: "I want none of your impudence. I have been complained to three or four times, but they came in a more ladylike manner; they did not call them lice." I told her that I knew no other name for them. I told her, also, that if I took her home, I would tell the people just what I had taken her out for. She said I might tell just what I pleased; she did not care what I told about it, nor who. This conversation occurred in the presence of Mrs. Brash. I told my husband, and he went the same day and took her out. When I complained to Mrs. Clark of the condition of my daughter, she said she had nothing to do with it, that I must talk to Mrs. Cornell. The last time when I brought her home, after she had been three weeks, her head was so full of vermin that when you would just open her hair they would roll down on her neck; there was scarcely a hair of her head that did not have a dozen nits upon it. I rolled up my sleeves and combed and washed her head in the washbowl, and I do believe that the vermin were a quarter of an inch thick in the bottom of the bowl, which I showed to Mrs. Brash. She never did receive harsh and cruel treatment while in the institution; all the Teachers said that she was such a kind dispositioned girl that she needed nothing of that kind. When I took the child away, in October, eighteen hundred and sixty-two, I told Mrs. Clark that I should never send her there again. When the committee from the Legislature left here to return to Sacramento, about a year ago, Mrs. Woodthorpe came and tried to induce me to send her back. I do not know whether Mrs. Clark asked Mrs. Woodthorpe to call on me or not, but Mrs. Woodthorpe pretended to come of her own accord. I told Mrs. Woodthorpe that I should never send her back unless there was a great change there; also, that I had heard that Mrs. Clark had said that I should have to apply to the Legislature before I could get her back; and I said if I applied to the Legislature at all, it would be to try to get Mrs. Clark out.

CROSS EXAMINED BY MR. VAN DYKE.

In regard to the diarrhœa: I think it was the *food, and not the water*, that caused it. She was worse immediately after going to the new building than she was afterwards, though she was sickly all the time; she was never well at all until since I have taken her out.

MRS. B. LONGNIFE.

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Subscribed and sworn to before me, this twenty-fifth day of January, eighteen hundred and sixty-four.

H. L. DODGE,
Of Joint Committee.

AFTERNOON SESSION.

JANUARY 25th, 1864.

TESTIMONY OF ELIZABETH F. GORDON.

Miss Elizabeth F. Gordon, sworn :

I am eighteen years of age; reside in San Francisco. I first entered the Deaf, Dumb, and Blind Institution, as a blind pupil, on April second, eighteen hundred and sixty-two; have been there most of the time since; am still a pupil of the institution. Mrs. Clark, so far as I know, has not been kind to the pupils, and has treated them very badly during the time I have been there. In the morning, if we were late to breakfast, we not only had to go without our breakfast, but we got a cross, which would take off ten of our credit marks, and a scolding besides; the scolding was about breaking the rules. We only had ten credit marks in one day for being perfect in everything. There was a rule in the institution that the one who was not ready to leave the table with the rest of the children should receive a cross, which cancelled ten good marks; if all left together there was no cross. By means of the rule, one at least of the children got a cross every day. There was plenty of food, but it was most of the time bad; the meat was not good most of the time; the bread was so raw that it could not be eaten, except the crust, most of the time, and the potatoes were cooked likewise. Ever since I went to the School, until within the last three or four months, the breakfast consisted of hash, bread, and coffee, every morning, without any change that I remember of. During the last three or four months, we have had fried potatoes, sometimes, instead of hash; but they were not cooked enough to be called fried. The coffee seemed like grounds boiled over, until I asked Mrs. Clark two or three times, when she finally gave me a little better coffee; the other pupils had the same as before. I never remember having any butter for breakfast. Dinner consisted, on Sunday, of corned beef and cabbage, (the beef, while I was there, was never very good—it was either tough or spoiled, with some exceptions,) and bread, and sometimes rice pudding, and in fruit season, an apple, a peach, a pear, or a few grapes, and sometimes, if the peaches were very small, we had two; but we never had any two kinds of fruit at the same time. On Monday, dinner consisted of beans, pork; and bread; no dessert on any day except on Sunday, so far as I remember, neither of pie, pudding, fruit, nor anything else. Tuesday, dinner consisted of soup, composed of meat and a few vegetables, also potatoes and bread. Wednesday, dinner consisted of some kind of a stew, made of mutton or veal, and dumplings; the dumplings were heavy, and not well cooked. On the days when we had the dumplings we were not allowed much bread, as Mrs. Clark said the dumplings would answer for bread. Thursday, dinner consisted, to the best of my belief, of boiled or stewed meat, bread, and potatoes. Friday, for dinner we usually had fish, bread, and potatoes; and on Saturday, corned beef and cabbage, bread, and potatoes. For supper, on Sunday, we had bread and butter, a piece of cake or gingerbread, (it was heavy, and I never ate it,) and tea, since the first of August; before that time we usually had milk every other evening, and the rest of the time water. On Monday, bread and molasses, or bread and milk, and tea. On Tuesday, sometimes, rice

and molasses, or bread and butter; lately it was bread and butter and tea; sometimes it would vary from this, and might be cracked wheat; the rice was not washed at all, so it seemed to me. On Wednesday, corn bread and molasses, and tea; on Thursday, bread and milk, and tea; the milk invariably seemed to me to have water in it. On Friday, bread and butter, or bread and milk, never both; on the nights when they have bread and butter, we could have bread and milk, if we preferred it, but never both. On Saturday, mush and milk, or mush and molasses; you could not have bread instead of mush, and upon the nights when they had corn bread you could not have white bread. I have heard them at dinner, sometimes, ask for more bread, when Mrs. Clark would tell them to eat potatoes, or what they had on their plates. At supper they would often ask for more bread, when there would be no one to wait upon them, and they would have to leave the table without it, or sit till all the rest were through, and get a cross. Sometimes the meat smelt bad, and sometimes the mutes would tell us that it was fly blown. I forgot to mention that sometimes we had a few strawberries or peaches in our milk, during the fruit season. We were forced to go out into the yard ten or fifteen minutes before dinner each day, for exercise, when we got cold, and the dinner got cold also. I did not go every day—I wouldn't do it, though she tried to make me. We (the girls) did not go out when it rained, though the boys had to go, because they had no other place to go to except the School-room, and that Mrs. Clark ordered Miss Cameron to keep locked. I often suffered from the cold—my feet would be cold—and oftentimes, when we had a fire in our sitting-room, Mrs. Clark would come in, and exclaim, "How close the room is!" and throw open the windows, when the room was not too warm—not thoroughly heated in every part, and some parts not warmed at all. Mrs. Clark ordered the door of the dormitory to be left open; but one night, being cold, I shut it; Mrs. Clark, coming over rather earlier than we expected, found the door closed, and took it off the hinges, and it remained off several weeks, when, with the assistance of some of the larger girls, I put it on again. During the time the door was off, there was a cold draught blowing through the room, in consequence of which I took cold repeatedly, and coughed all night. There was no necessity for taking off the door for ventilation, as the windows open at the top and bottom. I don't think any of the pupils like Mrs. Clark any too well; I never heard any of them express any attachment for her; I know that none of the blind like her—I am confident that they do not; they all know that Mrs. Clark prefers the deaf and dumb to them, and, naturally enough, they all feel it. Sometimes she will take some of the smaller ones, and pat them on the head, when she wants them to sing or play on the instruments; she may not speak cross, but she never speaks tenderly to them. Mrs. Clark has always spoken to me of Miss Cameron, the Teacher of the blind, in the highest terms, but not so of Mr. Roe; she refused to allow him to play for us, when I requested her to permit him to do so. She had a night latch put upon the music-room door, purposely to prevent Mr. Roe from going in to play for us. Mr. Roe had formerly been our Music Teacher, and was willing to aid us, when he had leisure, about our lessons in practicing, but Mrs. Clark refused to permit him to do so. I recollect Mr. Striby; he was our Music Teacher, and desired to have a concert, and wished Mrs. Clark to allow some of the blind pupils to play at the concert; being a stranger, he thought it would aid to give him a reputation here as a Teacher. The concert was to be given during the vacation; when Mrs. Clark threatened me that if I took part in it

she would expel me from the School. I know that she made the same threat to others. I heard a conversation between Mr. Striby, Mrs. Clark, and Mr. Roe, when Mr. Striby told Mrs. Clark that she had called Mr. Roe a liar. I was waiting for my music lesson, and accidentally overheard the conversation. Mrs. Clark saw me, and I was informed by the pupils that she accused me of eavesdropping.

CROSS EXAMINED BY MR. VAN DYKE.

Mrs. Clark has not been any more unkind to me than to the other pupils. She sometimes distresses me by saying that I have the consumption; that she is better after having a hemorrhage of the lungs, and that probably I would be. She says that she has given me credit for having better sense than to employ Doctor Pardee to operate upon my eyes; that I am always going to be blind, and that there is no use in doctoring my eyes. I only remember once of Mrs. Clark's bringing me warm drink as I was retiring for the night. She gave to all the children who had a cough a few spoonfuls of a preparation she got, and me with the rest, sometimes. Whenever I had to sing, if I had a fit of coughing, Mrs. Clark gave me a few Bronchial Troches. When I have been sick I have had warm breakfast sent to me in my room several times, but who sent it I do not know. There was always enough to eat. Mrs. Clark has taken me home in her carriage, and also from my home to the institution. Mrs. Clark has read to the pupils; she never read to us when all the Teachers were present, but did so when the Teacher of the blind was absent. She read as long as she could; her lungs are weak, and she could not read long.

RE-EXAMINED BY COMMITTEE.

I was sick when she brought the warm drink to me. Mrs. Clark was up to see me week before last; she had heard that I was sick, but I had recovered, and my mother was sick. She wanted me to go back to the School, but I could not on account of my mother's illness. Last week on Monday she came to see me again, saying that she had heard that the committee were to visit the School, and wished me to go out. I told her that my mother was ill, and that I could not leave her. She wanted to know if she could not send a girl in from the institution to take care of the house while I left it. I told her that my mother would not like a stranger in the house, when she wanted to know if she would not let little Estelle (Mrs. Clark's adopted daughter, a little girl nine years old) come in. I told her Estelle was too young—she could not attend to mother's wants. She said that it was very necessary that I should be there, for the benefit of the institution; she wanted all the scholars there who ever intended to be there again. She wanted to know if some of my young friends would not come and sit with mother. I told her to call again next day, when I would let her know what I could do. She came the next day, after I had been subpoenaed before the committee by officer Blitz. She told me that she had heard that I had been subpoenaed before the committee, and asked me if I had always had enough to eat. I told her yes, such as it was. She said, "I know the food was plain, but you know, Lizzie, we have never had bad meat but once, and then Mr. Clark and the Teachers had it, and the butcher did not charge for it, because he said it was a mistake, and was sorry for it." I told her that we had had bad meat more than once, and mother told

her that my clothes had not been properly cared for. She said, "I find you are both enemies of the institution." She went out, and slammed the door behind her very hard, without bidding us good by.

her
ELIZABETH F. ~~X~~ GORDON.
mark.

Subscribed and sworn to before me, this twenty-fifth day of January, eighteen hundred and sixty-four.

H. L. DODGE,
Of Joint Committee.

TESTIMONY OF MRS. CHARLOTTE GORDON.

Mrs. Charlotte Gordon, sworn :

I reside in San Francisco. Miss Elizabeth Gordon is my daughter. I was present when Mrs. Clark called at my house to get Lizzie to return to the School, a few days since. I was present, and heard Lizzie's (my daughter's) testimony in regard to that interview, and I know the same to be true. Mrs. Clark appeared to be very angry when she left my house, going out and slamming the door in a very unladylike and abrupt manner.

CHARLOTTE GORDON.

Subscribed and sworn to before me, this twenty-fifth day of January, eighteen hundred and sixty-four.

H. L. DODGE,
Of Joint Committee.

TUESDAY, January 26th, 1864.

Committee met at the usual place at ten o'clock A. M.

TESTIMONY OF MRS. S. E. BRASH.

Mrs. Susan E. Brash, sworn :

I was out at the institution the last time that Mrs. Longnife took her daughter out there. I heard the whole of the conversation between Mrs. Longnife and Mrs. Clark at the time.

[Here Mr. Van Dyke objected to the reading of Mrs. Longnife's testimony to the witness, as well as to all irregular proceedings of the committee heretofore in the way of leading questions, admitting hearsay, irrelevant and other improper testimony.]

I have heard Mrs. Longnife's testimony relative to that conversation, and I know the same to be true. I was also present at Mrs. Longnife's house when she brought her daughter home after she had been there the three weeks, and saw her wash and comb her hair; and her statement relative to the vermin upon her daughter's head is materially correct, though I did not count the nits upon her head.

CROSS EXAMINED BY MR. VAN DYKE.

When Mrs. Longnife took her daughter to the institution, Mrs. Clark told her that the rules of the institution required that she should remain four weeks, and that it interfered with her studies to go home any oftener. Mrs. Longnife did not tell her that she should take her away oftener, or as often as she pleased. The washbowl was a good large sized washbowl. I did examine it, out of curiosity; it was pretty well covered. I suppose she got the vermin at the institution; none of the rest of the family had them. I was never in the institution but once in my life.

MRS. SUSAN E. BRASH.

Subscribed and sworn to before me, this twenty-sixth of January, eighteen hundred and sixty-four.

H. L. DODGE,
Of Joint Committee.

AFTERNOON SESSION.

TUESDAY, January 26th, 1864.

TESTIMONY OF MRS. M. S. ROE.

Mrs. Margaret Stanton Roe, sworn :

I entered this institution as a Teacher of crochet work November twenty-fifth, eighteen hundred and sixty-two, and remained until February twenty-second, eighteen hundred and sixty-three. I received my board, which was the only compensation I received. Mrs. Clark never stated any reason to me why she did not want me any longer, except telling me, about twenty-four hours before that, that she had not room for me in the institution. It rained very hard when I left; I left in the rain. The same day that I left, a Mrs. Taber, Mrs. Clark's sister, commenced teaching crochet work. Mrs. Taber arrived in the State on Wednesday, and commenced teaching on the following Saturday—the day I left. She did not occupy the same room that I had occupied. During the time I was there, I had an opportunity of observing the treatment of Mrs. Clark towards the pupils to some extent, but not as much as other Teachers. It was not kind, affectionate, nor what you would

expect from a lady in that position. As far as I could judge, the older pupils were very much opposed to her, and disliked her very much. There was mutual respect manifested on the part of the Teachers toward Mrs. Clark, but not on the part of Mrs. Clark toward the Teachers. Mrs. Clark was very exacting of the Teachers—or rather showed more of a domineering disposition than exacting. She was considered by the Teachers and pupils the supreme power in the institution, and also exercised it. I taught three years before in similar institutions. The fare and treatment of the pupils in this institution is widely different from what I had seen in such institutions—it being extremely worse.

CROSS EXAMINED BY MR. VAN DYKE.

The pupils were not required and did not wait upon me any further than that one boy brought wood and coal into my room night and morning. They were not called out of School to wait upon me, to my recollection. One afternoon I wished to ask Mr. Roe a question, and I took my child with me into the School-room, when Mrs. Clark, Mrs. Randolph, and several other ladies came in, whereupon I took my child, and immediately left the School-room, which was the only time, to my recollection, that I ever took my child there in School hours. Mrs. Clark came into my room and said that Mrs. Randolph wished to know if she had made a nursery of the School room. I did not refuse to teach at any time except on Friday, the day before I left.

RE-EXAMINATION CONTINUED.

Can't say whether it was after I had been notified to leave. The reason of my refusal was owing to my child being sick, as well as myself, which I told Mrs. Clark.

MRS. M. S. ROE.

Subscribed and sworn to before me, this twenty-sixth day of January, eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

AZEL S. ROE, JR., RECALLED.

On oath says:

I remember, on the last afternoon before my wife left the institution, a conversation I had with Mrs. Clark, in her room, relative to the sickness of my wife. Mrs. Clark sent for me; I went over to her room. She told me that she should expect my wife to do as she agreed, as long as she remained in the institution. I told her she was quite ill, and unable to attend to her duties that afternoon. She said it was a lie, and she did not believe it. The deaf and dumb pupils were present. I don't remember whether any of the blind were present or not.

CROSS EXAMINED BY MR. VAN DYKE.

I am positive that was the language used by Mrs. Clark. All the deaf and dumb pupils were not present; how many, I do not remember; none present but mutes, so far as I remember. Mr. Clark was not present.

AZEL S. ROE, JR.

Subscribed and sworn to before me, this twenty-sixth day of January, eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

TESTIMONY OF MRS. M. J. O'KEEFFE.

Mrs. Maria Josephine O'Keeffe, sworn :

I reside in this city. I have been connected with the Deaf, Dumb, and Blind Institute more than a year and seven months, as a Teacher of the English branches, music, and drawing and painting, of the mutes. I was never a Resident Teacher at the institution. During the time I was connected with the institution, so far as I had an opportunity of observing, the treatment of the pupils by Mrs. Clark was not kind and attentive to their wants, nor watchful of their interests. The feeling of the pupils towards Mrs. Clark was one of excessive fear—no feeling of affection whatever. In point of cleanliness of the blind pupils, (in regard to the mutes I have nothing to say, not being connected with them,) their heads were in a very bad state—filled with vermin. I remember three particularly—Abalina Lawrence, Mary Long, and Levi Callish. I did not notice it so particularly in regard to the others; and the ears of Abalina Lawrence were so filthy that I could not sit near him. His filthiness was caused by his having the brain fever when a child. The Physician had advised his mother, and his mother had requested Mrs. Clark to have his ears syringed every day; and unless they were so syringed the stench arising therefrom was unendurable. Judging from the sickening stench, and from the appearance of the ears, they were not so syringed. He wore cotton wool in his ears, and whenever it was not in it was almost impossible to stay in the room with him. Whenever it was out I would speak to Mrs. Clark, and she would send him to his room to put it in. I called Mrs. Clark's attention to the vermin in the children's hair, and whenever I did so she would say that Mrs. Cornell, the Matron, combed their hair. Cannot say what the feeling of the Teachers was towards Mrs. Clark—I never asked them. I never taught in any other similar institution. With one exception, I do not know of any severe acts of cruelty towards the children. Jimmy Handley, a pupil, had an operation performed upon one of his eyes, which left him in an extremely nervous condition. The day after the operation he was suffering from a nervous tremor, and was lying on the lounge, when I told Mrs. Clark that he was sick, and needed better care. She took hold of him and *shook* him, and said: "Jimmy, sit up—are you sick?" I got a pillow and put it under his head. The words "Jimmy, sit up," were

spoken in Mrs. Clark's quick, precipitate way of talking. She never spoke otherwise. It was not in an affectionate and kind tone. The shaking was in such a manner as you would rouse a lazy child, or a child who had done something very naughty. As to the clothing of the children, in regard to its cleanliness, so far as outside appearance was concerned, I think it was generally cleanly. In point of sufficiency, I never examined.

CROSS EXAMINED BY MR. VAN DYKE.

I was only at the institution at the dinner hour. There seemed to be enough food at this meal, but some could not eat of the particular food. I remember, particularly, the case of poor Daisey, the idiotic girl, who, two days in the week at that meal, the food being beans or soup, not being able to eat either, had nothing at all to eat, to my certain knowledge. She was not allowed to eat anything else, not even bread. Mrs. Clark would tell the pupils that what they did not eat for dinner they would have to eat for supper. On the first report that was made to me, I said that they had no reason to complain, as children frequently complain without reason—on that principle I said it. At that time I said to the children that the food was better than I had in the Convent. When I said this, it was about six months after they moved into the new building—about fifteen months after I commenced on Tehama street. I think the duties of the Principal of such an institution very important, and difficult to fill—very trying to any one in that capacity. I should not consider that Mrs. Clark has been kind to the children. I never said that Mrs. Clark was kind to the children. Mrs. Clark's natural disposition was unkind, and had never been cultivated by education. Mrs. Clark possessed a very energetic disposition, but there seemed to be a total absence of kind, womanly feeling—more of an energetic, masculine, business disposition. I recollect no other case of harsh treatment of Mrs. Clark except that of Jimmy.

RE-EXAMINED BY COMMITTEE.

The reason why I did not speak more fully of Mrs. Clark's unkind tone of treatment of the pupils, was that I was not in the Institute only at dinner hours and while teaching, and it was not my particular province and duty to do so; and I knew that should I do so I should be immediately discharged by Mrs. Clark, and as my family were dependent upon me for support, I could not thus afford to lose my situation. I did once speak to Mrs. Brooks, one of the Managers, on the subject of the children's food, and told her that they should look into it. There was no other power known in or about the institution, either to the Teachers or pupils, except solely the will of Mrs. Clark.

CROSS EXAMINATION RESUMED.

The Principal of an Institute usually has the control of it. I know of no other than the three pupils I have mentioned who had vermin in their heads. I took particular notice of these. When a number are together, it is difficult to prevent some from having vermin. I should not wonder if the children brought them there sometimes, as they are often of low parentage. I know Mrs. Longnife; don't think she can boast of much of an education; think she is an honest, hard working woman—believe she works for a living.

M. J. O'KEEFFE.

Subscribed and sworn to before me, this twenty-sixth day of January, eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

TESTIMONY OF MISS M. CORNELL.

Miss Meribah Cornell sworn :

I have been connected with the institution three years and six months, as Matron. Sometimes Mrs. Clark is unkind to the children; some of them were neglected when they were sick. Some of them do not love her very much. Sometimes they are very dirty, and sometimes they are clean; many of them have vermin in their heads. Mrs. Clark is sometimes kind to the Teachers, and sometimes she is unkind. The children often complain of want of food. Many times in the past they have not had sufficient food. I have seen Mrs. Clark cruel to Daisy; I have seen her shake her. I know that Daisy sometimes goes without her dinner because she does not like it. She does not like soup or beans. When the children have soup or beans for dinner they are all obliged to eat that or go without; they must eat that or nothing else. The children all fear Mrs. Clark very much; she never caresses them. Mrs. Clark has been unjust to me. I fear Mrs. Clark will discharge me if I speak against her or the institution. There are no extra plates of bread and potatoes placed along the table, so that the pupils can get more than the quantity placed upon their plates. Mrs. Clark cut down my salary; it was formerly thirty dollars, now twenty-five dollars. She was unjust about several other things when I was sick. When I was too unwell to work, Mrs. Clark compelled me to work. When I was nearly sick, Mrs. Clark compelled me to sew very hard till late at night all alone. Mrs. Clark ordered extra cots to be made up, that were not needed, one year ago, when the committee from the Legislature were expected; but I would not assist in arranging them on Sunday. On Saturday I made up my usual number of beds. There was no use for the additional cots; one of them was carried back to the barn the next Saturday. I remember having seen a party of gentlemen at the institution on last Saturday morning. I did not go in to dinner at twelve o'clock—the regular hour of the pupils' dinner—because the Teachers' dinner was not ready. The reason why the Teachers' dinner was not ready, was that they were engaged in getting the children's dinner ready. Such an occurrence never happened before. The regular rule is for Teachers to dine at the same time the pupils do. I was engaged in sewing, and did not see the dinner put upon the table at that time. Sometimes one and sometimes two wait upon the children at the table, and sometimes Mrs. Clark comes down to the table herself. Eliza Harwood is one, and Mary Ann (the cook) another.

CROSS EXAMINED BY MR. VAN DYKE.

Efforts were made to keep the children clean sometimes, but not often. I combed their heads. Mrs. Clark soaked the feet of Mary Coates in warm water when she was sick. I have to do a good deal of sewing for the children. I have a little assistance sometimes. Formerly I was all

alone sewing, but for a little time past I have had some assistance. The room with the green furniture has been a little occupied by visitors—Mrs. Clark's own visitors, and not by the Teachers. Mrs. Davis, the mother of one of the pupils, has occupied it. Mrs. Newcomb, a young lady friend of Mrs. Clark, was occupying it the last time Mrs. Davis was there, and Mrs. Davis had to go to town. Sometimes Mrs. Clark is kind to the children. Mr. Roe has talked to me a little bit in regard to this investigation. He was speaking to me about Mrs. Clark not being kind to him. He did not say anything about Mrs. Clark's being turned out of the institution.

RE-EXAMINED BY COMMITTEE.

Mrs. Clark occupies seven rooms for herself in the institution.

M. CORNELL.

Subscribed and sworn to before me, this twenty-sixth day of January, A. D. eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

TESTIMONY OF H. B. CRANDALL.

H. B. Crandall sworn :

I have no fear of being discharged by Mrs. Clark if I speak the truth. She has treated me kindly, except when she is in trouble. I was once sent away from the institution on account of my marriage. I think she treated me unkindly at that time. She treats the pupils kindly sometimes, and some of them do love her. She made them Christmas presents every Christmas, and whenever some of them would ask what they want, she would give; that is why they do love her. Some do hate her because she made them do what she wanted, and they told me that their meals were poor. I never saw her cruel to Daisy. She often told me that she loved the children; so I judged; but sometimes they troubled her, which caused her much displeasure. The dinner last Saturday was better than usual. The children do have bread and meat on their own plates, and more is given them when they ask. The large ones have it on other plates; the little ones do not. "Exhibit B" I wrote because I was mad at the Lady Managers and herself discharging me on account of my marriage.

CROSS EXAMINED BY MR. VAN DYKE.

I am a Teacher of the deaf and dumb at the institution in this city. Have been there, except the nine months when I was away after my marriage, since eighteen hundred and sixty. Before Mrs. Woodthorpe and Mr. Roe came, the children did not complain of anything. I have been sleeping in the room with green furniture, but I slept in other

rooms when they had visitors to take it. Mr. Roe slept in it after he came from the East, before I was sent away. Mrs. Clark takes an interest in the School and pupils.

RE-EXAMINED BY COMMITTEE.

I think I occupied the room with green furniture one or two months, and Mr. Roe about one month. This was about six months ago.

H. B. CRANDALL.

Subscribed and sworn to before me, this twenty-sixth day of January, eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

TESTIMONY OF MISS JANE BASSETT.

Miss Jane Bassett sworn :

I have been in the Institution for the Deaf, Dumb, and Blind in this city one year next February. I am a pupil, but I teach children to crochet every half day. Mrs. Clark is not kind to the children; I have seen her sometimes cruel to Daisy. I love Mrs. Clark a little bit—not much; I do not fear her. I am nineteen years of age. The children's dinner last Saturday was better than usual, when visitors are not expected. I do not always have enough to eat; sometimes I had no dinner because the food was not good. The pupils do not love Mrs. Clark; they often fear her.

CROSS EXAMINED BY MR. VAN DYKE.

Mrs. Clark is unkind to me. When I tell her that I wish to go to the city with the Matron, or some good person, she will not let me go. I pity all deaf and dumb pupils who stay on the grounds all day; they get very cold; they have a good room, but Mrs. Clark don't let them stay there at all times. The pupils have not loved or respected Mrs. Clark since I have been there; but they always fear her when she tells them to do anything. Mr. Roe has not said anything about coming here as a witness, nor has he often said anything in my presence about Mrs. Clark.

RE-EXAMINED BY COMMITTEE.

Mrs. Clark was deceitful; she put up more cots in the sick room than necessary. There were six extra cots there; I found some with shawls on them and no mattresses.

JANE A. BASSETT.

Subscribed and sworn to before me, this twenty-sixth day of January, eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

We, the undersigned pupils in the institution, (mutes,) have had the foregoing testimony in chief of Miss Bassett interpreted to us, and know the contents thereof, and so far as the same relates to Mrs. Clark's treatment of the pupils, and their affection and love for her, we know the same to be true.

HENRY R. GIDDINGS,
HENRY A. DICKSON,
WILLIAM M. PHILLIP,
JAMES A. BASSETT.

Subscribed and sworn to before me, this twenty-sixth day of January, A. D. eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

WEDNESDAY, January 27th, 1864.

Committee met at nine o'clock A. M., at the usual place.

TESTIMONY OF MRS. O. C. PRATT.

(On the part of Mrs. Clark.)

Mrs. O. C. Pratt, sworn :

I first became connected with the institution as Secretary two years ago last September, and a few months before that I was one of the Managers. I have been out there the first Thursday in every month, with one or two exceptions, ever since my connection with the institution, and have staid there on those days from two until four and five o'clock P. M., and while there on those days I always read the proceedings of the previous meeting, and if there was any business, we ladies talked it all over, and acted accordingly. I generally go into the School-rooms and examine the writing, books, etc., of the children—whatever they happen to be doing—their work, shake hands, and communicate with them as well as I can, to gratify them. I do not know the Silent Language at all, but I communicate with them as well as I can. I always find them looking neatly and well, because if it was otherwise I should have noticed them particularly. I have never seen any indication of vermin or anything of that kind among the scholars; I never thought of such a thing. I have heard Mrs. Clark frequently say that she had taken great pains to eradicate that from children when they first came to the institution. I never heard of anything of that sort existing among the scholars until the commencement of this investigation. If there had been anything of that kind, I think Mrs. Clark would have mentioned it, and I think I should have observed it myself; I was frequently close to them, and stood beside them. When I have seen them their hair looked as well as usual among children, and as though it had been combed and well kept. They looked generally in good order

throughout, and having so much confidence in Mrs. Clark's management, I did not pay so particular attention as I would otherwise have done. I have frequently been in the dining-room and saw the children at their meals, and have been in there when Mrs. Clark did not expect I was coming, with my mother, Mrs. Eliza Parker, and we have spoken together—my mother and myself—of the comforts they were enjoying; they seemed very happy, indeed. The food appeared, upon the table, very nice, very good, and plenty of it. The tables were clean and in good order. There seemed to be plenty of bread, light and good. If there had been any defect in the meat I should have detected it; anything so *terrible* as that I should have known it. From my observation of Mrs. Clark, I have always thought her conduct particularly tender towards the children, particularly the younger ones. I do not know anything about any door being taken off near the dormitory. It could not have been for punishment, for if the children had taken cold, or been sick, such a result would have added largely to Mrs. Clark's labors. There was a boy, Henry Dickson, who was hurt at the Industrial School, who was taken into the music-room, where he could be more properly cared for—in the next room to Mrs. Clark's. I saw some of his relations who came to visit him while he lay sick, and they seemed pleased and satisfied with the care bestowed upon him. Mrs. Clark always spoke to the children firmly, but kindly—just as a person should who has the management of such children. I think children of this kind differ very widely in temper and disposition from those in possession of all their senses. The blind are very easily led to believe anything that is told them, and of course if it is of a disagreeable nature it sours their temper, and makes them very irritable. If any one should tell them anything disagreeable, and another one tells them anything to the contrary, it is pretty hard to change their minds, it is so much more natural to believe anything disagreeable than otherwise. The deaf and dumb are very suspicious, because they can see every movement, and, not being able to hear and understand, easily arrive at conclusions that something is being said derogatory to them. The deaf and dumb do not agree with the blind. They seem to dislike the blind, and I have seen them, when told to lead the blind, hurry them along very impatiently, and heard that they did not like to sit together at the table in the dining room. The child Daisy I have seen when I have been there, generally idly dozing, perfectly listless. When Mrs. Clark has gone into the School-room with us, which she generally does when the Lady Managers go in, she invariably asks "Where is Daisy?" She goes to her, takes her by the arm, and tries to arouse her, and asks what makes her so lazy. It is very difficult to arouse her, she is so very stupid. Many times after Daisy first went there, she would ask "What shall we do with Daisy?" She seemed to have much anxiety concerning her. The anxiety seemed to be to know what should be done with her—whether she belonged to our institution or the Orphan Asylum. Dr. Whitney thought she could be taught when she first came; we concluded, after a trial of six months, that she could not. She seemed to have no memory, and was terribly stupid. She wore out three books, and I do not believe she remembered a line in them. With the anxiety was mingled an earnest desire for the welfare of the child. I have heard Mrs. Randolph say that she visited the institution frequently, and I believe that she did visit it as often as once or twice a week. Mrs. Randolph has gone to the Atlantic States.

Mrs. Dr. Whitney and Mrs. S. Hart, two other of the Lady Managers, are now in Europe, so that during the past year the management of the institution has devolved principally upon Mrs. Clark and myself. I do not know of any special reason why the hour for breakfast was fixed at six o'clock, nor have I ever heard of the boys being kept out of doors from breakfast until eight o'clock. I do not know of their ever being kept out in the rain, and I do not believe they ever were—it would be heartless to do so. To have done so, would have made any amount of trouble. The children, sitting in the damp clothes, would have taken cold. I believe that there were stoves in all the School-rooms, and I always found them warm and comfortable. I have sometimes said: "It seems close here, Mrs. Clark—put down the windows," and she would reply: "We do, as much as we can, but I am afraid of the draught on the children." In the management of the institution, Mrs. Clark has consulted us fully, telling us every minutia.

Question.—Suppose any of the Teachers or children had complained to any of the Lady Managers, what would have been done?

Answer.—We should have all consulted together; if the charges had been great, we should have called a special meeting, and acted upon the matter.

Q.—Have any complaints been made to any of the Lady Managers, to your knowledge, by any Teacher or pupil? If so, name them, and state the cause of complaint.

A.—I have never heard of any complaints having been made to any of the Lady Managers.

Q.—As far as you have been able to observe, what has been the feeling of Mrs. Clark exhibited towards the children?

A.—Very kind and considerate.

Q.—How did Mrs. Clark usually employ her time?

A.—She has never been away from the institution for her health or pleasure that I am aware of, but has been at the institution constantly, except when absent upon business connected with the institution, and once in case of the sickness of her sister. While at the institution, she would look after the comfort of the children constantly, and spend many of her leisure hours in doing fancy work for the institution. I never heard about the case of Abalino Lawrence in regard to his ears, or, if I have, I have forgotten it. I am satisfied that the Lady Managers knew everything that was necessary in regard to the pupils. Mrs. Clark submitted to the Lady Managers the proposition of Mr. Striby, desiring a benefit. We asked her what she thought of it. She stated that the expense would be considerable to furnish them new clothing, get them into the city, etc. We then concluded not to accede to his request. This was not considered of sufficient importance to be entered in the minutes of proceedings of the Lady Managers. He subsequently came to me and spoke about his benefit, and I replied that I would do all I could for him, provided the Lady Managers were agreeable to it. I reported to Mrs. Clark what I had done, but nothing was ever done about it. She never told me that she had promised him a benefit, nor do I recollect that Mr. Striby said that she had promised him one. I do not know any reason why Mr. Roe should be opposed to Mrs. Clark, though recently I think he has not given her satisfaction as a Teacher. I believe he is an aspirant for the position of Principal of the institution. So far as I know, Mrs. Clark's sister did not teach crochet work to the pupils; if she had, I think Mrs. Clark would have told me.

EXAMINED BY COMMITTEE.

I was not in the habit of visiting the institution very often, except at regular monthly meetings. My visits would average once or twice a month. I was once there three days in succession during the sickness of Mrs. Clark's sister. I often conversed with the children during those visits, as far as I was able to. I never asked them whether they had enough to eat or not, because I could see that they had plenty on the table. I generally went out at one or two o'clock, and staid an hour or two. Many times Mrs. Clark's views and the views of the Managers would differ in regard to the management, slightly, but not materially. I do not recollect any time when the views of the Managers overruled those of Mrs. Clark. I do not think that we always submitted to Mrs. Clark's suggestions, but, on the contrary, that she often yielded to us. I remember no particular instance. There would be suggestions all around, and the result would be that we would finally settle upon something amicably. I never heard but that Daisy could eat everything, the same as the other pupils. All the information I have concerning Daisy's ability to learn I derived from Mrs. Clark, though I have seen her fingering over a torn and dilapidated book. I have seen her knitting and working bead work; her knitting did not amount to anything. Mrs. Clark came in to see me most every day, when she would inform me how matters were progressing at the institution. I was frequently consulted in regard to the employing and discharging of Teachers and servants. I know that the Managers were consulted as to the propriety of discharging Miss Lovekin, previous to her discharge. She was very deaf. It was at a regular meeting. I do not think the Managers were consulted in regard to the discharge of Mrs. Roe, nor in regard to her employment. She came out very unexpectedly, as Mr. Roe told me. He did not tell me that he had or had not sent for her. I do not know the terms upon which Mrs. Roe staid at the institution. Mrs. Clark never informed me that she had any employment there. The Managers were informed and consulted in regard to the discharge of Mrs. Woodthorpe. I, as one of the Managers, never heard any complaints against the institution. I never heard any complaints of the harsh treatment of a pupil named Levi Callish. I never heard any complaints in regard to Mary Long, relative to a want of cleanliness. I believe that Mr. Roe is an applicant for the position of Principal of the institution from what I have observed, not from anything I have heard that he has said, particularly. I never have heard any complaints relative to the treatment of Susannah Quelet. I do not get the idea that Mr. Roe is unpopular with the children from them, but I presume I have drawn my conclusions from what Mrs. Clark has told me. I was present at the dinner on last Saturday, when some of the committee were present. The dinner was a very fair sample of dinners usually, so far as my observation was concerned. I saw Jimmy Handley about the time an operation was performed upon his eye. I was not aware that he was laid up at all by the operation. I never heard any complaints about his treatment, but, on the contrary, I think he preferred to remain at the institution rather than at home with his mother. His mother took him away once, but he soon came back. I never saw or heard that extra cots were put up that were not necessary. I believe I should have known it if it had been done. I have unlimited confidence in Mrs. Clark, and I would not consent to act as Manager under any other Principal. Bills for supplies are never submitted to the Board of Man-

agers, so far as I know, for approval or rejection, neither for any disbursements.

MRS. O. C. PRATT, Secretary.

Subscribed and sworn to before me, this twenty-seventh day of January, eighteen hundred and sixty-four.

H. L. DODGE,
Of Joint Committee.

TESTIMONY OF MRS. M. A. DAVONE.

EXAMINED BY COUNSEL FOR MRS. CLARK.

Mrs. Margaret Ann Davone, sworn :

I have a son in the Deaf, Dumb, and Blind Institution in this city. He is a child who is very apt to complain if he is unkindly treated, but I never heard him complain of his treatment there. For the last six months he has always been anxious to get back again when he comes home. He is fourteen years of age the next October. I reside in this city. Have frequently visited the institution, and always found Mrs. Clark kind and gentle, so far as I have seen, to the pupils. Mrs. Clark has always been kind to my son, and he has affection for her. Having a child in the institution, I observed the treatment of the children by Mrs. Clark. I have sent my children out to see him on Sunday when he has been away with Mrs. Clark at the Pine Street Church. The children all appear clean, fat, and well. I never heard of Mrs. Clark's ill treatment of the children. Some of my family are often there; they had the privilege of going whenever they pleased, and if there had been anything wrong I should have known it. My son never complained of being shut out in the rain. He would like that, if it was so. He liked to be in the rain, boylike.

EXAMINED BY COMMITTEE.

My son went to School to Mrs. Clark's sister in the States, before coming to this State. I have generally visited the institution once or twice a month. Some of my family are there every week. He comes home once a month, and sometimes twice. I have never been there during meal times. My son is healthy and rugged; can eat everything.

M. A. DAVONE.

Subscribed and sworn to before me, this twenty-seventh day of January, A. D. eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

TESTIMONY OF MRS. F. WRIGHT.

EXAMINED BY COUNSEL FOR MRS. CLARK.

Mrs. Frances Wright, sworn :

I have a daughter at the Institution for the Deaf, Dumb, and Blind, in this city ; her name is Mary Ellen Wright, and her age is eleven years. She never complained of Mrs. Clark's treatment ; she is always willing to return to the institution. I am slightly acquainted with Mr. Roe, one of the Teachers at the institution. I have often inquired of my daughter in regard to her treatment there, and she was always satisfied, except in one instance, when she came home and said one of the Teachers, named John Larue, had pulled her ears. I went out and told Mrs. Clark about it, and he was afterwards discharged ; I don't know whether it was for that or not. My daughter is deaf and dumb, and I know that class of children are easily prejudiced for or against their Teachers. My daughter was kept cleanly. Mrs. Clark always seemed anxious to have her return when she was away, and would inquire after her. She never complains about her food at the institution. She entered the institution the first month it was opened, and was there till last June ; she is now out to have her ears doctored. She was at the institution the week before vacation. I consider her still a pupil of the institution.

CROSS EXAMINATION.

She has not been taught any at the institution since she left, except for the exhibition. My child has never complained of want of food, or of any kind of ill treatment, except the instance above mentioned.

FRANCES WRIGHT.

Subscribed and sworn to before me, this twenty-seventh day of January, A. D. eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

TESTIMONY OF MRS. M. E. WAKEMAN.

Mrs. M. E. Wakeman, sworn :

I reside in this city ; am acquainted with the Deaf, Dumb, and Blind Institution ; have been connected with it heretofore as Manager, two years. I have often been in the institution during the meals, both while I was Manager and since. Am not certain as to the length of time I was Manager. I think the meals were suitable for the children, both in regard to quality and quantity of food. The children were always kept very clean and nice. Some of the children complained of the food—one boy because he could not have milk to drink and pie to eat ; this was on

Tehama street, in eighteen hundred and sixty, when they always had dessert once a week. I have often been out since the institution was removed to its present location, but have never observed any difference in regard to the meals. Some of the children came to the institution in a dreadful condition, as to vermin in the head; and I should think it would be impossible to keep them out in a School of that kind, where pupils are continually coming in. Mrs. Clark's conduct was kind towards the pupils, and we thought she was calculated to manage such an institution, and that she was doing her duty. My mother often spoke of how well she managed the children and got along with them.

EXAMINED BY COMMITTEE.

Since I have ceased to be a Manager of the institution, I have been there, on an average, two or three times a year, at all hours of the day, sometimes at meal time; saw good bread baked at the institution, and plenty of it. Whenever any differences arose between Mrs. Clark and the Managers, as to the management of the institution, it was usually decided, according to Mrs. Clark's wishes, by a vote of the Managers, a majority determining the matter.

RE-EXAMINED BY MR. MASTICK.

From the time the institution was originated until it was removed to its present location, I lived in the immediate vicinity of the institution, and was in and out every day, and at all hours—at meal times and at bed time. By reason of this, I know how the institution was then conducted, and the care taken of the children; and since it was removed to its present location, I know of no change, except in the improvements of the building and in the accommodations for the children. From my observation, I think Mrs. Clark was always kind to the children. I do not think there is a person in the State of California who could get up an institution and conduct it as well as Mrs. Clark has done.

RE-EXAMINED BY COMMITTEE.

The meal on last Saturday was a fair sample of the every Saturday meal.

M. E. WAKEMAN.

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Subscribed and sworn to before me, this twenty-seventh day of January, eighteen hundred and sixty-four.

H. L. DODGE,
of Joint Committee.

TESTIMONY OF L. WERTHEIMER.

EXAMINED BY COUNSEL FOR MRS. CLARK.

Leopold Wertheimer, sworn :

I reside in this city. I have a daughter at the Institution for the Deaf, Dumb, and Blind ; her name is Susan. She has been there ever since the institution started until within the last six months. At first I used to carry her there every Monday ; have been there sometimes every two weeks, and sometimes once a month. Myself and wife have always been satisfied with the care taken of our daughter. My daughter has never complained ; she is about twelve years of age ; she is a mute. When I have been there I have been through the institution so as to see the children, and I have been there so often that most of them know me. I often saw Mrs. Clark, and often not. The treatment of Mrs. Clark towards the children has always been fair ; I have never seen anything wrong. Have seen the children at their meals once or twice ; the food I saw seemed to be good ; the children eat hearty of it ; my daughter never complained as to the food. Sometimes she did not want to go to the institution, and sometimes she went there before I got up in the morning—just as she had a notion. I don't know why at times she did not wish to go. She improved at the institution, in her education, very nicely, and she also improved in her manners. She was wild at first, and I requested Mrs. Clark to be very strict. The child likes Mrs. Clark ; she never seemed to have any aversion to her. Everything about the institution seemed nice and clean ; I have been in the School-room and in the sleeping rooms.

EXAMINED BY COMMITTEE.

I talk the mute language ; my daughter taught it to me. She has never complained to me ; she was always satisfied. She is a very smart girl.

LEOPOLD WERTHEIMER.

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Subscribed and sworn to before me, this twenty-seventh day of January, eighteen hundred and sixty-four.

H. L. DODGE,
Of Joint Committee.

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TESTIMONY OF MISS MARY ANN DILLON.

EXAMINED BY COUNSEL FOR MRS. CLARK.

Miss Mary Ann Dillon, sworn :

I have been in the institution sixteen months in February coming. I have been the cook. We have a large cooking stove which is sufficient

to do the cooking. The meat once or twice has not been good. I complained to Mrs. Clark, and she told me she would speak to the market man, and I think she did. It did not come so any more. Mrs. Clark always expected me to do the cooking well. The hash meat was chopped first, and when fine, the potatoes were put in. Twice in the heat of summer it was a little sour; it might have been more than twice, but I don't think it was. I told Mrs. Clark that the children refused to eat the hash, and they said it was sour. In those cases nothing else was given them but bread and coffee, which they had any way. Then Mrs. Clark said it would be better to give them cold meat and warm potatoes in the morning for the present, and also that if the meat and potatoes were not mixed over night, she thought they would not sour. We now give them hash twice a week, Wednesday and Sunday mornings. The bread missed a few times when the yeast was not good; it has been about three times since I went there. We get the yeast at the brewery at the Mission. The vegetables are the same as used on her table and the Teachers'. The vegetables used on the pupils' table are squashes, beets, cauliflowers, beans, peas, always potatoes, and sometimes cucumbers, in their season. Sometimes the children eat up all on the table, and sometimes not. On Sunday mornings the hash is taken from the same dish for the tables of Mrs. Clark and the Teachers. The children got sirloin steak, and the Teachers and Mrs. Clark porter-house steak. Mrs. Clark and the Teachers often eat of the sirloin steak. I was engaged in cooking three years and eight months in New York, and about eight months in California, before going to the institution. Mrs. Clark comes into the kitchen several times during the day to see what is wanting. I have always seen Mrs. Clark treating the children very well; never saw her unkind to them unless they have done something wrong, when she chastises them for it. I mean by chastising them, if any one makes complaint of the children she talks to them for it. If the Teachers make a complaint, and they had to be whipped, she would do so. Sometimes she would lock them up; at other times she used to whip them. I never saw them whipped. They went up stairs to be whipped; the Teachers would go up with them. With my own eyes I never saw them whipped. I never saw any marks where they were whipped. I know of Mr. Roe punishing one of the children during Mrs. Clark's absence in Sacramento. His name was Thomas Santicoek. He locked him up; I don't know that he did anything else. The last time Mrs. Clark was at Sacramento, Mr. Roe whipped a boy named Columbia, so the boy said. I saw his eye the next day, and it was bloodshot. The children act differently for the last two weeks from what they ever did before; they make more complaint. The food has been about the same. I never knew of Mr. Roe doing or saying anything to prejudice the children against the food. There has been no change in the quality and quantity of food since this committee came down here, to my knowledge. The dinner last Saturday was the same as usual on that day. One morning or evening, I don't remember which, about four or five months ago, Mr. Roe came over from the Teachers' table and said: "Mary Ann, I would not give the children so much to eat." I replied, that Mrs. Clark told me to give the children as much as they wanted, only not to waste it. He said no more. The Teachers were at the table at the time. When the children have been sick, Mrs. Clark comes to the kitchen and asks me if I have anything cooked for them, and if I have not, she cooks it herself and sends it over to them.

EXAMINATION BY COMMITTEE.

I do not fear being discharged by Mrs. Clark if I testify against her. She told me that I would be called to testify about the food, and told me to tell the truth—nothing else. Daisy eats a little beans, but does not like soup. On soup meals she eats potatoes, meat, and bread; on meals when we have beans, she eats a little beans, potatoes, and bread. Other pupils have potatoes, bread, and meat with their soup. Don't know whether she ever went without her dinner because she could not eat her food. I think the pupils generally like Mrs. Clark; I never hear the blind children saying anything against her, and I cannot talk with the deaf and dumb. I never heard them complain of their treatment, that they did not have enough to eat, nor of the quality of the food. The same steak which I cook for the children's dinner I sometimes take for Mrs. Clark's breakfast. Mrs. Clark uses hash only on Sunday morning on her table and that of the Teachers. I never have remarked more than one peach at a time on the pupil's plates. I always wait on the table at dinner time, except on Mondays and Tuesdays; at other times Eliza Harwood waits upon the table. When I wait upon the table no one assists me; there is only one of us waiting on the table at a time; the children sometimes assist each other. On Saturday last, myself and the laundress (Anna) waited upon the table.

her
MARY ANN ~~X~~ DILLON.
mark.

Witness to mark: GEORGE A. HILL.

Subscribed and sworn to before me, this twenty-seventh day of January, eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

THURSDAY, January 28th, 1864.

Committee met at nine o'clock A. M.

TESTIMONY OF W. O. ANDREWS.

EXAMINED BY COUNSEL FOR MRS. CLARK.

W. O. Andrews sworn:

I reside in San Francisco, about opposite the Deaf, Dumb, and Blind Institution. Have been there all the time since the institution was opened; have been in and about the institution very frequently; have seen a good deal of the children; have seen them every Sunday, and frequently during the week, and during times of sickness have been in every day, and my wife and daughter have been in frequently. I have had

charge of the Episcopal Sunday School at the Mission for some years, at which the children attended until within a few months past—the children from the institution. Had an opportunity to observe them, and frequently conversed with them on the slate on Sunday and also during the week. I have frequently asked them questions in regard to Mrs. Clark and the Teachers, and almost invariably they replied that they loved Mrs. Clark. I felt a deep interest in them, as I saw a great deal of them; they attended my Sunday School, and two of them became members of our Church. I acted as sponsor for them, in connection with Mrs. Clark and Mrs. Randolph. For these reasons, I asked them a great many questions. I always thought the pupils there were very happy—as happy as they could be, considering that they were deprived of a portion of their faculties. I rarely go into the institution without going into Mr. and Mrs. Clark's room. Have seen Mrs. Clark with the pupils often. In times of exhibitions and festivals I have frequently assisted, consequently I have had a pretty good opportunity of observing Mrs. Clark's treatment of the pupils. I never saw her happier than when she was around among them. Her treatment of them was invariably kind and affectionate. The only complaint I have ever heard against the institution or against Mrs. Clark was from Mrs. Woodthorpe; I do not remember her exact language. From a dozen different persons—Teachers and pupils—I have heard contrary stories. I think the blind and deaf and dumb children are generally too artless to tell false stories. I am confident that the majority of the stories against the institution come from those who are desirous of getting the management of it. Mrs. Woodthorpe was in the habit of running into our house frequently of an evening, and finding fault with Mrs. Clark. She would observe, if I (Mrs. Woodthorpe) had the management of it, things would be very different. I never saw anything nor heard anything from others to confirm her statements in regard to cruelty or any ill treatment on the part of Mrs. Clark towards the children; but I never believed these stories, and I was not watching Mrs. Clark to ascertain whether the stories were true or not. I suppose that I asked the pupils more questions than I would have done had it not been for the stories of Mrs. Woodthorpe. After these inquiries I did not believe that her statements were true. I knew Miss Lovekin as a Teacher in the institution, and for a short time as a Teacher in the Sunday School. She was not an interested Sunday School Teacher. Two years ago, at the time of examination at the institution, in the presence of quite a crowd, I remember Reverend Doctor Thrall and Doctor Peck as being present. I had been called upon by Mrs. Clark to assist at the examination. I presume her reason for doing so was that I was then Sunday School Superintendent, and took an interest in the children. On that evening my particular duty was to read the programme and to explain to the audience what they were exemplifying. Upon the programme was specified, in regular order, what was to be done that evening. Among other exercises were Scripture questions to be asked the blind. When we came to these Scripture questions, Miss Lovekin refused to ask them, and at Mrs. Clark's request I asked them. After her refusal to ask them the audience expressed great dissatisfaction at her conduct. She gave no reason for her refusal. She had gone through with all the rest, until she came to this, when she positively refused to ask them. In conversation with Mrs. Randolph, she expressed dissatisfaction with Miss Lovekin, but her exact language I do not remember. The children appeared cleanly; I never saw anything to the contrary. Every portion of the building that I ever was in was a pattern of neatness.

EXAMINED BY COMMITTEE.

Miss Lovekin, to the best of my knowledge, was at the Sunday School but a few Sabbaths. I think she did not teach all the time she remained in the institution. I heard from Mrs. Clark, that the reason she did not teach longer was because she did not believe in Sunday Schools. The substance of Mrs. Woodthorpe's complaints were that Mrs. Clark did not treat the children well. Lucinda Ford and Christina Clayton are the two pupils who joined the church. I have talked with Henry R. Giddings and Henry A. Dickson frequently relative to the treatment they have received prior to the last few months, and they have invariably answered that they loved Mrs. Clark. They always said that Mrs. Clark treated them well. I remember Lizzie Gordon; she is a blind pupil. I can talk with blind pupils much more readily than with the deaf and dumb. I do not remember ever asking Lizzie Gordon any questions relative to the treatment of Mrs. Clark. She was not at my house as often as the deaf and dumb. From all I have ever gathered, my impression is that Miss Lovekin is an infidel. I heard from Mrs. Clark, among others, those statements which went to form this impression. Some weeks before she was discharged I heard these statements from Mrs. Clark and others. I know Mrs. Clark was very much tried with her prior to her being discharged.

W. O. ANDREWS.

Subscribed and sworn to before me, this twenty-eighth day of January, eighteen hundred and sixty-four.

E. H. HEACOCK,
Member of Committee.

TESTIMONY OF MRS. ELIZABETH HUGHES.

EXAMINED BY COUNSEL FOR MRS. CLARK.

Mrs. Elizabeth Hughes, sworn :

I have resided at the Institution for the Deaf, Dumb, and Blind, in this city, from the eighteenth of June last until a week ago last Monday. My principal business was sewing. I helped at the meals, did washing and ironing, attended to the children's clothing—both making and mending for the boys and girls—made shirts, pants, dresses, and coats. The children were kept very correct; their clothes were changed twice a week—on Wednesday and Sunday—and on Sunday I assisted the Matron in combing their heads. Once or twice I found a few vermin on one or two, and perhaps in nine or ten more I would not find any at all. Every effort was made to keep them cleanly. Mrs. Clark ordered me every Sunday to assist in combing their heads. Mrs. Clark was always kind to the children, so far as I saw; she treated them good, and did all she could for them. I was there mostly at meals; the food was always good, and plenty of it. Mrs. Clark has told me, repeatedly, to give the children enough to eat. The girl from the dining-room, who was waiting on the children at the time, told me that Mr. Roe told her not to give

the children but one piece of bread at tea. She answered, and said that Mrs. Clark told her to give the children plenty of bread, only waste none. The girl who told me this was Mary Ann Dillon. The food was cooked at the institution, and I have reason to know that it was always well cooked. There was no difference between the bread, potatoes, or anything else on the tables of children, Teachers, and Mr. and Mrs. Clark, except that the coffee on the children's table was a little weaker. I assisted to put the food in the dishes, ready to be set on all the tables. Have seen the children frequently out in the yard; never saw them kept out in the rain. Mrs. Clark was always very careful about their not catching cold. They had shoes, and if they wanted anything she would always see that they got it and were kept warm.

EXAMINED BY COMMITTEE.

I am certain the children were always kept cleanly; I never knew any of them to have vermin upon their heads, except what I have spoken of. I knew Daisy; never was any vermin in her head, and when she was sick Mrs. Clark would come over and see how she was getting along. I have seen Abalino Lawrence; have combed his head once or twice; never saw any vermin in his head. The Matron usually combed the larger ones. He had a disagreeable discharge from the ears, which was very offensive. I never syringed his ears, but I know it was done, because I saw him going out of the wash-room with the Matron to have it done. From breakfast in the morning until School time, the children were in the yard; and if it rained I suppose they were in the School-room; I did not look into it; I did not see them in the rain.

ELIZABETH HUGHES.

Subscribed and sworn to before me, this twenty-eighth day of January, eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

TESTIMONY OF MRS. MARK BRUMAGIM.

EXAMINED BY COUNSEL FOR MRS. CLARK.

Mrs. Mark Brumagim, sworn:

Am one of the Lady Managers—have been so from the commencement of the institution; and within the last few months, since Mrs. Randolph went away, have been the Treasurer. Have visited the institution frequently. Have not confined myself to visiting day, but have been there at all times, and frequently with visitors, and unexpectedly to Mrs. Clark—oftener in that way than otherwise. Have always felt a deep interest in the improvement and progress of the institution and of the pupils. Have been through the different departments. Have not seen any of the cooking done, but I know that everything was particularly neat in the culinary department—more so than could be expected in an

institution of that kind so dependent upon servants; and also in the other departments, particularly in the girls' dormitory, where everything was neat and in order, with drawers and hooks for each one of the pupils, respectively. I have never been at the institution when it was uncomfortable. It always seemed to me very warm in the School-room of the blind, Mrs. Woodthorpe's room—I thought too much so for the benefit of the children, and have mentioned it to Mrs. Clark, when she would order the room ventilated—more air windows lowered. Mrs. Woodthorpe would appear to be cold. She would have her shawl on, pinned to the neck, at those times, which I attributed to her cold temperament. There might have been stoves, and I not have noticed it, but I don't remember of having seen any fire in the School-rooms. The Managers had a special meeting, at which Mrs. Clark told us that she had discharged Mrs. Woodthorpe; that the pupils were unmanageable under her, and that she created difficulties. At the next meeting which I attended, Mrs. Clark told us that Mrs. Woodthorpe was reporting stories against the institution, and against her, (Mrs. Clark,) and the management of the institution generally. The character of the reports was of such a scurrilous nature, and so unreasonable, that we did not think it proper to pay any attention whatever to them—to notice them at all. Do not remember to have heard those reports from any other source except through Mrs. Clark. I know Mr. Striby, who was a Teacher at the School. The difficulty with him was in relation to a benefit which he desired, but the Lady Managers determined that it was not best to do anything about it—if we gave it to him, we should have to give it to the other Teachers. I understood Mr. Striby to say that Mrs. Pratt was willing he should have it, and he further told me that Mrs. Clark was opposed to it, and had sent him to the Lady Managers. I told him if the others of the Lady Managers and Mrs. Clark consented, that I would make no opposition—at the same time, I felt that he was unreasonable in his request. I knew that it would entail considerable expense upon the institution, and great care upon Mrs. Clark, more than she was able to bear at that time. The children would have been obliged to have new clothing. Mr. Striby said he would bear all the expenses; but I felt that he was not able, and that he did not realize what the expense would be. He never told me that Mrs. Clark promised to give him a benefit, to my recollection. At that time, I told him that if a benefit was to be had I was willing to assist about the children, and in relieving Mrs. Clark. Mrs. Clark was always kind to the children—they appeared to love her. She had perfect control over them—more like a family than otherwise. Mrs. Clark said to us: "I am often obliged to speak quick to the children; you may think I am cross, but I don't feel so—I have so much to do that I have to do it."

EXAMINED BY COMMITTEE.

I have not the slightest recollection of the time when Mrs. Clark informed me that she had discharged Mrs. Woodthorpe. It might have been at one of my casual visits at the institution. There was quite an interval between this and the time when Mrs. Clark told the Board of Lady Managers that she was circulating stories against the institution, which, to the best of my remembrance, was at a meeting held the second Thursday in October. I do not remember whether Mrs. Clark told me that Mrs. Woodthorpe had been discharged before or after her (Mrs. Woodthorpe's) return from the country. I never heard a lisp of a com-

plaint, either from the pupils or any other person, relative to the institution. As one of the Lady Managers, I had the utmost confidence in Mrs. Clark's management, in her integrity, ability, and kindness. The children I always found universally happy—I never saw one of them crying at the institution. I have no personal knowledge of other institutions of this kind, but from an intimate friend, who was educated at a similar institution in New York City, I have derived much information. From what I know and have seen of this institution, I think it would be very difficult to get another person so admirably fitted in every respect as Mrs. Clark is for the position she occupies. Her sympathy seems to be entirely and wholly enlisted with the pupils, and none can so well judge of this as a lady who constantly visits the institution, and sees the workings and many little kindnesses and attentions bestowed upon them. I have remarked, with painfulness, the despondency and delicacy of blind pupils when they have first entered the institution, and have noticed with pleasure their improvement in health and buoyancy of spirits after being there a while.

MRS. M. BRUMAGIM.

Subscribed and sworn to before me, this twenty-eighth day of January, eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

MRS. BRUMAGIM, RECALLED.

Mrs. Brumagim, recalled, says:

Frequently Mrs. Clark has said to me, prior to this investigation, that her desire was to get the institution in a complete state, and have it in a flourishing condition, after which she would then like to surrender it; the occasion of these remarks was in considering the trials and little petty annoyances connected with the institution, which were daily occurring; Mr. Clark wishing to have her give up the position, feeling that it was too much for her to have the care of it. The Managers would scarcely allow her to say this, as they all felt that the present success of the institution depended upon her remaining there.

MRS. M. BRUMAGIM.

Subscribed and sworn to before me, this twenty-eighth day of January, A. D. eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

TESTIMONY OF MRS. J. J. WEST.

EXAMINED BY COUNSEL FOR MRS. CLARK.

Mrs. J. J. West, sworn :

I have been one of the Managers of the Institute for the Deaf, Dumb, and Blind, for the last two years ; I have visited it once a month during that time ; each time I have been there I have visited all the rooms and seen the children ; they were all clean as children of that class could be, and seemed happy ; my visits were on days of the meetings of the Lady Managers, never but once otherwise. I have not particularly observed the culinary department, except the bread, which I know to have been light, and very nice indeed. As far as I have observed, Mrs. Clark's conduct towards the children has been very kind. Mrs. Clark has visited my house frequently ; she has always, whenever the institution has been spoken of, expressed herself as very anxious for its welfare, though we seldom talked on that subject out of the institution. I think Mrs. Clark has intended to do what is right, and I believe she has done so. I was present at the meeting when Mrs. Woodthorpe's reports came before the Board for consideration. I had also learned from Mrs. Clark, before Mrs. Woodthorpe's discharge, that she (Mrs. W.) was giving her a good deal of trouble, and that she intended to call a meeting of the Lady Managers concerning her discharge. At the next meeting, we learned from Mrs. Clark that Mrs. Woodthorpe had been discharged. I did not investigate the cause of Mrs. Woodthorpe's discharge, but was informed by Mrs. Clark that she was unkind to the children, calling them names, etc. We had every confidence in Mrs. Clark, and we allowed her to act independently of us in those things ; she, of course, consulted the Managers, but we regarded her judgment better than ours in all things relative to the affairs of the institution. Mrs. Clark, so far as I know, devotes her whole time to the institution. What I might say regarding the fitness of Mrs. Clark for the management of such an institution would be derived from the workings of this ; from my knowledge, thus derived, I think Mrs. Clark is well fitted for the position she occupies, and, in fact, the only one I know of suited to the place.

EXAMINED BY COMMITTEE.

I never have heard any complaints on the part of anybody relative to the treatment of the children, or any of them, by Mrs. Clark. The Lady Managers were advised by Mrs. Clark, at each successive meeting, of what had taken place at the institution, and were fully satisfied therefrom that the affairs of the institution were properly managed in all respects ; and I remember nothing whatsoever, relative to the management of the institution, which we did not leave fully to Mrs. Clark.

RE-EXAMINED BY MR. MASTICK.

From the fact of never hearing any complaints, and from seeing the institution in such a flourishing condition, are other reasons why we gave Mrs. Clark our entire confidence. The punishment of children is always

necessary in their management, and the mode of doing it is always left with the person having them in charge, or with the Teachers.

J. J. WEST.

Subscribed and sworn to before me, this twenty-eighth day of January, eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

TESTIMONY OF MRS. ELIZABETH JEFFRESS.

EXAMINED BY COUNSEL FOR MRS. CLARK.

Mrs. Elizabeth Jeffress, sworn :

I have a niece in the institution, named Mary McKail, aged thirteen years. She has been there three years. A mute. She is under my control and care. Her mother is in the Insane Asylum, where she has been three years. I and my father have visited the institution several times. Sometimes we have had her home once a month ; again, once in two or three months. She always seemed happy and well satisfied. Her health has always been very good indeed. As far as I could understand the child, she seems to be improving very fast. I can understand her well as to her likes and dislikes. I have often asked her, in writing, on the slate, if she liked Mrs. Clark. She answered that she did. She always came home clean and neat—no vermin upon her head. Never heard her make any complaints. My children have often been at the institution to visit her, and I never heard them say anything against anything that they saw or heard there. They attend the Public School opposite the institution on Mission street. My father went through the buildings with Dr. McIntosh at one time, and he reported that the place was clean and comfortable, when he came back.

E. JEFFRESS.

Subscribed and sworn to before me, this twenty-eighth of January, eighteen hundred and sixty-four.

E. H. HEACOCK,
Member of Committee.

TESTIMONY OF DR. JAMES P. WHITNEY.

EXAMINED BY COUNSEL FOR MRS. CLARK.

James P. Whitney, M. D., sworn :

I have attended the Deaf, Dumb, and Blind Institution in this city in my capacity of a Physician ever since it started—three years or more

since. So far as my observation has gone, the pupils of the institution have had sufficient food—and that which was good. The most I know about it was from the food supplied to those under my treatment. Mrs. Clark I have always found to be exceedingly kind to the pupils under my treatment, and attentive to their wants. In fact, I have heard rumors since this investigation commenced which surprised me as much as anything I ever heard in my life—so contrary to anything I ever witnessed at the institution. In times of sickness, I have visited the institution almost daily, and at other times I have not been there for two or three months. At these times, if there was any case requiring it, Mr. or Mrs. Clark would call at my office, or send or bring the patient for a prescription or treatment. Mrs. Clark always manifested a great deal of anxiety for the relief of the pupils when they were sick. She appeared to treat them more as a mother would treat an unfortunate child than any other way. I believe I was sent for to attend at the institution a boy who was injured at the Industrial School. Not being at home, I could not go, but Dr. Farrar went in my stead. For the last three or four months, not being very well, my partner, Dr. Morse, has visited the institution for me. I saw the boy who was injured at the Industrial School, after my return. I do not know whether I was sent for on the day the boy was injured, or not. I am acquainted with a pupil by the name of Daisy. I prescribed for her once or twice. I do not recollect for what. When I first saw her at the Orphan Asylum, with the late Dr. Gray, we decided that *possibly* she might be taught something, and we recommended that she be transferred to this institution for a limited time. Since then, I have become satisfied that she was fixed up for examination at the Orphan Asylum; that she is hopelessly idiotic, and not a fit subject for the institution she is now in. I do not know anything about the treatment of Daisy by Mrs. Clark, any further than that Mrs. Clark has called my attention to her when I have been there, as she has to others that she suspected needed attention. I generally gave the prescriptions to Mrs. Clark, when I was at the institution, when she was in; but when she was away, I gave them to the person in charge, or left directions to have them send to my office. I am not aware that the diet or food given the pupils caused any sickness. I say, positively, that it did not, as the diseases were not of the nature produced by bad food, or by insufficiency of good food. The directions I gave for the treatment of the pupils were always carried out. I have not visited cases in private families where the patients were attended with more marked solicitude to carry out orders. My wife was frequently at the institution. She was one of the Lady Managers. She has sometimes been at the institution for a number of days in succession, when Mrs. Clark was at Sacramento.

EXAMINED BY COMMITTEE.

Daisy was remarkably clean and fixed up when we saw her at the Orphan Asylum. She had some knitting work, which she was apparently engaged upon, but I do not recollect that she exercised her functions upon it in our presence. Her counting was accomplished in a peculiar way; she could not count without swinging her body back and forth. I am not employed at a stated salary by the month or year. I attended the institute gratuitously until there was some provision made by the State. Since then I have charged for the visits I have made, keeping a

memorandum of them, which have been paid for by Mr. and Mrs. Clark ; sometimes charging for but one visit if I visited half a dozen at one time. Cannot tell how many professional visits I have made to the institution during the last year—probably twenty or more times. Don't remember that I was ever called upon in relation to Mary Coates ; it appears to me that I remember the name, but cannot recollect anything about it. Believe I have not been called upon to attend Abalino Lawrence. There were three or four cases of typhoid fever at one time in the institution when it was on Tehama street, one of them being the Matron. Three or four cases were treated there until they recovered, but when the Matron was taken sick, two others were also taken about the same time, and the three were taken to St. Mary's Hospital, which I advised, to prevent its spreading among the other pupils, and the disease extended no further among the pupils, except possibly there might have been one case more. It was a prevailing epidemic in the city at the time. I think this was about three years ago. The cases of lung fever occurred some four or five months ago ; there were three or four cases. They originated from the ordinary causes—from colds. Colds are caused by atmospheric changes, which affect persons whether they remain in doors or not. To attend upon that institution as its regular Physician and Surgeon, three times a week, with additional contingent visitations as might be required, a salary of fifty dollars per month I would consider a very low compensation.

RE-EXAMINED BY MR. VAN DYKE.

I attended the patients that were transferred to St. Mary's Hospital, and Mrs. Clark called to see them frequently while they were there, and always seemed to manifest a great deal of interest in their welfare. From what I have seen in my observation, I consider Mrs. Clark a suitable person to have charge of such an institution, except that her health is such that I could not advise her to do it on her own account. I should consider it a calamity to the pupils if her health should so far fail that she could not attend to them.

JAMES P. WHITNEY, M. D.

Subscribed and sworn to before me, this twenty-eighth day of January, eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

TESTIMONY OF B. S. BLITZ.

EXAMINED BY COUNSEL FOR MRS. CLARK.

B. S. Blitz, sworn :

I reside in San Francisco. I am a regular Detective Police Officer, paid by the City and County of San Francisco. Between two and three months ago, Mrs. M. J. Burke, one of the Lady Managers of the Deaf,

Dumb, and Blind Institution, spoke to me about a lady by the name of Woodthorpe having been discharged from this institution as a Teacher, and that she had circulated or stated to some parties that Mrs. Clark owed her some money for services rendered as Teacher; that some of the Lady Managers had inquired of Mrs. Clark if she was indebted to Mrs. Woodthorpe, and the reply was, that she had paid her up—that the institution did not owe her anything. Whereupon, Mrs. Burke requested me, in behalf of the Managers, to find her, as they did not like to have such stories circulated, as it was an injury to the institution, and ascertain the truth of it, when, if anything was due her, she should be paid; but I did not succeed in finding her at that time.

B. S. BLITZ.

Subscribed and sworn to before me, this twenty-eighth day of January, eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

TESTIMONY OF G. S. BANKS.

EXAMINED BY COUNSEL FOR MRS. CLARK.

G. S. Banks, sworn :

I reside in this city. I am acquainted with the Institution for the Deaf, Dumb, and Blind. I have a step-son in the institution. He was one of the first who entered the institution. His name is Bazilla Benjamin, aged about nineteen years. He is a mute. All I ever heard of his treatment comes from his mother, who often visits the institution. He used to come home every week, when I would see him. I have been at the institution, since his mother's death, three or four times. He always looked clean and well, and his mother always spoke very highly of Mrs. Clark—what a good woman she was to the children. She deserved a great deal of credit, she thought, for working so hard as she did to get the institution a going. He always seemed to be happy and contented at the institution.

EXAMINED BY COMMITTEE.

I have known my step-son for sixteen or seventeen years. I keep a livery stable in partnership with Mr. Shelby—firm of Shelby & Banks, five hundred and sixty-seven Market street. I was married to my step-son's mother fifteen years ago. She died the thirty-first of May last. The boy had no home at my house.

G. S. BANKS.

Subscribed and sworn to before me, this twenty-eighth day of January, eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

TESTIMONY OF MISS ELIZA HARWOOD.

EXAMINED BY COUNSEL FOR MRS. CLARK.

Miss Eliza Harwood, sworn :

I reside at the Institution for the Deaf, Dumb, and Blind, in this city, and have done so since it was first started. I am not under pay; I live with Mrs. Clark, and have done so for ten years and over. I assist generally about the institution. I am engaged one half or two thirds of the time, generally, for the institution. I take care of Mrs. Clark's room. I do not work as much for Mrs. Clark as I do for the institution. I do the machine sewing for the children. I wait on the children at the table on Mondays and Tuesdays, at all meals, and on other days I always do it at supper, and sometimes at breakfast, if there is no one else to do it. I never knew of any extra beds being put up, and I never put up any extra beds. I never counted the number of beds, and cannot tell the greatest number that were ever up. I never knew the meat to be tainted more than two or three times. I know it has been that number of times. I think it was in the summer. Mrs. Clark said she would talk to the market man about it. The bread, usually, has been good, but there have been times, when the yeast was poor, that it was heavy. We got the yeast from the brewery at the Mission. Mrs. Clark has the same bread that the children have; it is all mixed together, and when that for the children is heavy her's is also heavy. Some of the children have always complained, no matter what they have—at some times more than others. Jane Bassett is very hard to please. I try every way to please her, but I find it impossible to do so; being a large girl, I try more to please her than I do the others, but she is very hard to suit. According to the bill of fare, the children all have enough to eat. They always have fruit in the fruit season on Sundays at dinner, and also at other times at supper, and on Sundays at supper. If peaches are large they only get one, but if they are small they get two or three, according to the size of the children; the larger ones get more than the small ones. The heads of the children are washed in alcohol. I do not have much to do with the children, except at meal times; it is the Matron's place to take care of their heads. I have seen the Matron and Elizabeth Hughes often combing the boys' heads. I never saw any vermin on their heads, though I know it has been so. The children are not allowed to go into the School-rooms unless the Teachers are with them; after breakfast they have their work to do. The blind children practise their music in the music-room, and some of them in the closet in the other house, where they practise on the violins. Some of the deaf and dumb boys sweep the School-room—the larger ones saw and split the wood. Some of them are using the gymnasium. I have never known any of them to be kept out in the rain, and when they have ran out I have known Mrs. Clark to send them in, and she has sent me down to send them in, and I have often sent them in myself. When I say I sent them in, I mean I told them to go into the house, out of the rain. The music-room is always open for them to go in, and there is a large closet in the other house, which has a window in it, where they keep their hats and practise. The gentlemen Teachers are always there by half past eight, and sometimes at eight o'clock. One of them is always there at breakfast. Mr. Crandall sleeps in the building every other week, and Mr. Roe comes in

the morning at the six o'clock breakfast the alternate week. Mr. Crandall is always with the children after breakfast. I don't see Mr. Roe so much with the children as I do Mr. Crandall. The Teacher who comes there at eight or eight and a half o'clock is the one who is not Monitor for the week; but it is expected that the Monitor will be there at six o'clock breakfast. The Monitor has the keys to the School-room. I never knew of the keys being taken out of the Monitor's hands, or any order to that effect, and being taken into Mrs. Clark's room. Mr. Roe used to leave the keys when he went home, and he would request me to get them when he came back in the morning, before Mrs. Clark was up, and I would do so. This was only done twice. Before that he used to leave them in the kitchen, where he could get them himself. I never knew of any objection being made by Mrs. Clark, or any one, to his having the keys. That time when I got them before she was up, she told me to wait next time till she was up. She told me if he did not send the boys for them not to give them to them, as she did not want the boys to have them. I did not tell Mr. Roe that Mrs. Clark told me not to give him the keys before she was up. I did not tell him why. Mrs. Clark usually got up about seven o'clock. She has breakfast at half past seven o'clock, and she is usually up at seven. When I was waiting upon the children, once, Mr. Roe said, "Eliza, I would not give them so much food;" I think he said bread. I said, "Mrs. Clark told me to give them what they wanted, only not to waste it." The spare bedroom has been used by the parents of the children when they come—which they often do—by Mr. Crandall sometimes, and Mr. Roe had it when he first came. I know about the boy who was hurt at the Industrial School; I went with Mrs. Clark, and we arrived there soon after he was hurt. I did not see him hurt. We did not at first expect that he would remain there all night. Mrs. Clark offered to remain with him. Mrs. Woodthorpe said she would stay, and Mr. Roe also offered to stay. It was finally agreed that Mrs. Woodthorpe should remain. There was a Surgeon who dressed his wound; he resided at the Industrial School; Mrs. Woodthorpe assisted; I never heard the Surgeon's name; I did not see him dress the wound; I was not in the room; I saw him going through the hall with sticking plaster and shears in his hand, and Mrs. Woodthorpe afterward told me that he—the Surgeon—shaved off the hair and sewed up the wound, and she assisted him. Soon after I arrived there I saw the Surgeon, as I have stated. Mrs. Clark and myself were in sight of the Industrial School when the accident happened. I don't think it was more than five or ten minutes from the time we got there before I saw the Surgeon going through the hall, as before stated. I only know that I heard the man was a Surgeon. The boy was brought back to the institution the next morning. Mrs. Clark expected him back that night, and I left her up waiting when I went to bed, about ten o'clock. Mrs. Clark had a bed brought down and put in the music-room as soon as she got home. It was put there because she thought he could not be carried up two flights of stairs, and because it was more convenient for her to attend him; it was right across the hall from Mrs. Clark's room, on the same floor. Mrs. Clark told me that the man was a Surgeon; I think I heard Mrs. Sheldon speak of him as a Surgeon, but I am not sure. Mrs. Woodthorpe afterwards told me he was a cook, but had been a Surgeon's servant, and knew how to dress wounds, as he had seen his master dress them. Afterwards, at the institution, while he was lying there sick, Mrs. Woodthorpe assisted in dressing his wounds. Mrs. Clark, the Matron, and myself, used to see to his meals. Mrs. Clark sent for some ice,

and made him lemonade. I am no relation of Mrs. Clark; I was in my tenth year when I went to live with her; I am now in my twentieth year. Mrs. Clark has uniformly always been kind to me and to the children at the institution. I never noticed any difference between her treatment of Daisy and the other children. I have never known Daisy to be punished by any one.

FRIDAY, January 29th, 1864—9 A. M.

TESTIMONY OF MISS ELIZA HARWOOD—Continued.

EXAMINED BY COMMITTEE.

I have lived with Mrs. Clark ten years, and I receive no pay for my work. I am of age. I live with Mrs. Clark as a member of the family, and I do what she wishes me to. I take care of Mrs. Clark's rooms—a sitting room, a bedroom, and her little girl's sleeping room; also the reception room, and the spare room upstairs. I have never known the boys to make the beds, or sweep out the dormitory. The girls and the Matron do this. Some of the children complain of their food, that it is not good, no matter what they have, while others never complain at all. Jane Bassett does not like the food—the coffee without cream in it, and the corn bread. I give her wheat bread in the place of corn bread. She is satisfied with that. I don't mean that it is impossible to satisfy her in everything. I don't think I ever have heard her complain that she did not have enough to eat. She generally says that she does not like hash, though sometimes she eats it. She also does not like the Saturday evening mush. She has bread instead of mush. All the rest of the children like mush. The children are not allowed in the School-rooms unless the Teachers are there. They have to go in to sweep out the room, but cannot remain unless the Teachers are with them. I do not know whether the Teachers are in the School-rooms before School hours or not. The work that they do under the superintendence of Mr. Crandall is varied—some saw the wood, some sweep the rooms, some make the fires, some sweep the front and back stairs in both houses. The keys were removed from the kitchen because the cook would not keep them. She would not have the trouble of them. When Mr. Roe went home he locked the door, to keep the boys from going out in the night, and she had to unlock the door before he returned in the morning. Between the girl and Mr. Roe there was a little trouble about as to who should keep the keys. She did not want the trouble of unlocking the door in the morning. This was the cause of taking the keys from the kitchen. One time some of the boys went out in the night to the Mission to buy some fruit. Mr. Roe learned of this, and afterwards they were locked in at night. A little time after this, Mr. Roe asked me to go to Mrs. Clark's room and get the keys. I did not know where they were, but he told me that he left them on Mrs. Clark's table, where I found them, and gave them to him. All of the keys were on one string. After the girl refused to keep the keys, there was a hook put upon the back door of the building in which they slept. It was upon the outside, and the girl would open it to let the children out into the yard in the morning. After this, Mr. Roe asked me once for the keys, and I did not

give them to him, as Mrs. Clark told me not to give them to him again until she got up. The boys were out of doors when he called for the keys. I do not know what he wanted of the keys. Miss Cameron always kept the keys to her School-room; Mr. Crandall to his, when he was Monitor; and Mr. Roe when he resided there. I do not know that the children were allowed to play in the School room before School time. They were generally playing out of doors. The room containing green furniture has always been furnished the same since the building was furnished. I have always had charge of it, except when Mr. Roe and Mr. Crandall occupied it, and then the Matron took care of it. They occupied it a good many nights—I cannot tell how many—each occupying it separately. Mr. Crandall sleeps most of the time in another room, where there are other single beds. Mr. Roe has not slept in the building since his family moved away, some time last year.

ELIZA HARWOOD.

Subscribed and sworn to before me, this twenty-ninth day of January, eighteen hundred and sixty-four.

A. C. BUFFUM,
Of Joint Committee.

TESTIMONY OF DR. EDWARD FARRAR.

EXAMINED BY MRS. CLARK'S COUNSEL.

Dr. Edward Farrar, sworn :

I reside in San Francisco. I recollect the case of a boy who was injured at the Industrial School. I could not be certain who came for me, but think it was Mrs. Clark; cannot tell what time of day it was. I am a regular Physician and Surgeon; received my degree at London and Edinburg. Dr. Whitney was sent for, and I went in his stead. I think it was in the morning. The wound was two or three days old on that day when I first saw it. The wound had not commenced to heal; it was not healing by first intention, but had commenced to suppurate. Mrs. Clark seemed anxious about the boy, and desirous of having him get well. She would have sent for a Physician before, but she supposed it had been dressed well at first; but when she found the boy complained, she thought it best to have Dr. Whitney. Mrs. Clark gave him every attention in her power. The wound seemed to have been done up well—dressed as well as wounds usually are at first; it was impossible to tell the exact manner after such a length of time. I think I went out to see him four or five times before Dr. Whitney returned, which was in about a week, when Dr. Whitney went out to see him. I left the wound doing very well; the boy seemed to be very happy and cheerful. The room was a pleasant and comfortable one. The wound was kept clean, and continued healthy. I know Mrs. Woodthorpe, who was a Teacher in the institution. I am sorry to say that I do not know anything very favorable in regard to her character as to temper; she is hasty in her temper. She was Governess of my little girl, and left me in a very unhandsome manner. I think she is a very designing woman.

EXAMINED BY COMMITTEE.

When I was attending the boy before mentioned at the institution, Mrs. Woodthorpe acted as nurse, and assisted me in dressing the wound. Mrs. Clark did not assist in dressing the wound while I was there. I gave instructions to Mrs. Woodthorpe and to Mrs. Clark about the boy's food, and the care of him. I do not know whether it was a Surgeon who dressed the boy's wound at first, or not. I cannot remember whether I was informed that it was dressed by a Surgeon, or not.

RE-EXAMINED BY MR. VAN DYKE.

I did not see anything to lead me to suppose that it was not properly dressed at first.

EDWARD FARRAR, M. D.

Subscribed and sworn to before me, this twenty-ninth day of January, eighteen hundred and sixty-four.

A. C. BUFFUM,
Of Joint Committee.

TESTIMONY OF CHARLES GEDDES.

EXAMINED BY MRS. CLARK'S COUNSEL.

Charles Geddes, sworn :

I am an architect by profession. The connection which I have had with the Deaf, Dumb, and Blind Asylum has been both as builder and architect. I first was employed as builder on the first wing, which I commenced on the fifth day of October, eighteen hundred and sixty, and completed about the first of February, eighteen hundred and sixty-one. There was some work to do on the building after the children came, which occupied about two weeks. I was with the children, in and out. I was quite well acquainted with a number of them. I superintended the arranging of the kitchen, and all the culinary department at that time. I was called upon several times by Mrs. Clark to superintend the arranging of the desks in the School-rooms, and also in the arranging of the sleeping apartments, so that each child should have a drawer and sufficient wardrobe hooks. Mrs. Clark seemed to take a decided interest in the conveniences for the pupils. I have never seen anything connected with the management or treatment of the children but what was in perfect harmony. I have never seen a frown with her towards the children, nor of the children towards her. She has frequently spoken the sign language, or signed to them, in my presence, to show me the mode of conversing with each other, and always appeared on perfectly friendly terms with all of them. I have never seen anything else. I think I have never been in the room but once when they were at their meals. This was when they first went into the institution. They seemed perfectly satisfied, and apparently enjoyed themselves at the table very

much. I superintended the construction of the second building, which occupied about three and a half months, which was in the fall of eighteen hundred and sixty-one, and was there very frequently. I found the pupils just as I had left them. I never saw a frown, and I never heard of any difficulty or complaint by any one. I passed through and among the children as any one would through their own family, and they seemed to be well kept, and it now surprises me when hearing these complaints to think that Mrs. Clark had kept them so well as they appeared at that time. At the time of the work on the second building, Mrs. Clark frequently showed me the progress they were making in their education. Some of the blind had been taught to sew. In approaching them I never suspected there was any difficulty or hard feeling whatever. When we approached them, the blind would light up with smiles upon hearing her voice, the mutes would seem pleased, and make their little fingers fly, commencing to talk the sign language. This was in the fall of eighteen hundred and sixty-one. Since then I have only been there two or three times until last summer, when I superintended the erection of a gymnasium, which occupied about two weeks, when I was there as often as every other day, at different hours of the day, during that time. Mrs. Clark took great interest in having the gymnasium erected. She went out herself and superintended it, so as to suit the convenience of the different pupils. I saw no difference in the relation between Mrs. Clark and the pupils from what I had seen before. Those children I had known before seemed just as happy as ever. I have been there once or twice since, and saw no change. I never heard a whisper or a lisp that anything was wrong prior to this investigation.

CHARLES GEDDES.

Subscribed and sworn to before me, this twenty-ninth day of January, eighteen hundred and sixty-four.

A. C. BUFFUM,
Of Joint Committee.

TESTIMONY OF MRS. CATHERINE SHELDON.

EXAMINED BY MRS. CLARK'S COUNSEL.

Mrs. Catherine Sheldon, sworn :

I reside at the Industrial School. I am the Matron of that institution. I know about the boy from the Deaf, Dumb, and Blind Institution, who was injured in May last. We expected the children, and we saw the omnibus stop at the gate, and supposed that they were waiting for some one to welcome them. The Superintendent, Mr. Lynde, being away, I sent one of the girls to inform them of that fact, and to ask them up. She returned and informed me that some one was injured. On repairing to the spot, I learned that a mute boy and the driver were injured; they were brought to the house. The boy's head was cut very badly. There

was a man on the premises who had served under a Surgeon; his name was Shannon. He was cook of the Industrial School. Immediately on arriving at the house, on learning that the boy was injured, I called Mr. Shannon, knowing that he was accustomed to dress the cuts and wounds of the children; and he, assisted by Mrs. Woodthorpe, dressed the boy's head. This was previous to the arrival of Mrs. Clark, I think. Mrs. Clark went into the room where the boy was when she came, but I was in another room attending to the driver, and I did not see what she did. I heard some conversation between Mrs. Clark and Mrs. Woodthorpe in regard to who should remain with the wounded boy, but cannot state what it was. He appeared very comfortable after his head was dressed.

EXAMINED BY COMMITTEE.

Between ten and eleven o'clock the night the boy was hurt, Mr. McGlynn came there with a Doctor, who came on purpose to attend to the driver. He went into the room and saw the injured boy, who appeared comfortable in the bed, but he did not interfere with the dressing. I don't recollect of his making any remark about it; the boy was comfortable. He only remained in the room a very short time.

RE-EXAMINED BY MR. VAN DYKE.

I think the understanding was that Mrs. Clark was to send a bed out for the boy, and one came the next morning.

MRS. C. SHELDON.

Subscribed and sworn to before me, this twenty-ninth day of January, eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

TESTIMONY OF LEVI CALLISH.

EXAMINATION BY COMMITTEE.

Levi Callish, sworn :

I understand the nature of an oath. I shall be seventeen years of age the fifteenth day of February next. My father resides in Sacramento. Have been in the institution three years in March next. I went to the institution for the purpose of being instructed. My first Teacher was Mrs. O'Keeffe, who was Teacher of Music and the English branches taught in the institution; the next one was, I think, Mrs. McRae, who taught the English branches, and the next was Miss Lovekin. I am not positive which one came first. The next Teacher was Mrs. Woodthorpe, who was there, I think, a little over a year; she was also Teacher of the English branches. Mr. Striby was the Music Teacher after Mrs. O'Keeffe left. Miss Cameron came after Mrs. Woodthorpe left, and she is there at the present time. After Mr. Striby, came Mr. Mueller, the present Music Teacher. Mr. Rasche and Mr. Roe also taught me music at different

times. I have taken lessons on the piano and on the flute; commenced taking lessons on the piano soon after entering the institution. Our music lessons, when Mrs. O'Keeffe was there, were for a part of the time every day, and afterwards three times a week—sometimes only twice a week. I practised, when Mrs. O'Keeffe was there, from one half to three fourths of an hour, and sometimes an hour. She left the institution a little over a year ago. Since she left I had an hour with Mr. Striby, and sometimes an hour and a half. When two boys were practising at the same time on the same piano, we sometimes practised from one and a half to two hours. We had two lessons a week under Mr. Striby. He was at the institution eight or nine months—I cannot tell exactly; he left two or three weeks before the term closed last June. Since Mr. Mueller has been there I have taken two lessons a week on the piano and one on the flute. I have been studying reading, spelling, grammar, geography, and arithmetic. I have always been on good terms with all the Teachers; I have never had any trouble with them; I have had some trouble with Mrs. Clark. I went out of the yard without Mrs. Clark's consent; on my return she told me not to do it again. This was on the first day after I entered the institution. The next trouble was—they had rice twice a week; I could not eat rice; she would not give me anything else; I had to eat that or go without my supper; I went without my supper. The first meal when they had rice I told Mrs. Clark that I could not eat it; I did not say anything more to her, but told my father and mother, who gave me money to buy crackers with. The next trouble was—I went into the city after some wheels, and took the Sacramento boat and went home; went home Saturday and returned the next Monday, by the two o'clock boat, with my mother. For some time after that I had no trouble. I cannot remember all that occurred, but I have had lots of trouble; I have been punished several times. One time I fixed the beds—I and another boy—so that when the boys got in they would fall down on the floor. The next morning Mrs. Clark sent for us to come up into the music room; Mr. Larue, the Deaf and Dumb Teacher, was there; she told us to take off our coats and kneel down on the floor, when he whipped me with a cowhide; I was close by her, so that I could see her making the sign to him to whip me harder—and he did whip me harder; it hurt me very much; I cannot tell how much; I cried, but did not halloo; he whipped me around the wrists—cut the skin so that the scars could be seen for two months; it drew blood. She spoke to me, and said she was telling him to whip me harder, and I believe she said "the Bible says not to spare the rod." I don't remember that she said anything else at that time; she said something, but I cannot remember what it was, except that she told me to put on my jacket. I have not been whipped since. Mrs. Woodthorpe was the Teacher at the time. I don't remember when it was, but I believe it was about a year ago. Mr. Striby had a concert last August, and wanted me to play for him in vacation; Mrs. Clark said if I did play for him she would turn me out of the School. I asked my father, who gave me permission, and I played for him; Mrs. Clark has not treated me well since; sometimes she scolds me and speaks cross, and I don't know what it is for; sometimes she speaks kind. She may not think she is cross, but I do. I have not always had good victuals; sometimes the meat smells, and I could not eat it; sometimes the potatoes are black inside; sometimes we don't get enough to eat. The bread is piled up on a plate in the middle of the table; there is not enough to go around twice, and sometimes only once. This has only been since the eighth of last September; before that time

I always had the bread and everything else put right on my plate. We always used to have hash every morning until about three months back—I cannot tell exactly how long it is back—and the bread and everything else was mixed up on our plates; I do not know how it came so. Sometimes the hash would smell so that I could not eat it, and then it would be all gone. We had nothing else besides the coffee and bread and hash. Sometimes we would have a piece of bread by the side of our plate, besides what was in the hash. At dinner we had, sometimes, beans—beans would be Mondays—I mean, before I was moved to the table where I am now, which was about four months ago. Hardly ever was there salt in the beans, and if we asked for salt we were told to eat them just as they were. We always had rice and molasses on Monday night; Tuesday noon we had soup. The food was bad, generally speaking, the biggest part of the time. One of the servants told me that the milk was nearly all water. The food at the institution was a hundred times worse than I get at home; I never thought of eating such food at home as we have at the institution. Mrs. Clark told me to tell the legislative men that I talked to the children, and told them that the food was bad, which made them go out and throw it up; I told her I would. She wanted me to tell this without being asked any questions relating to it; it was not true; but I was not going to be a fool by telling of myself. She asked me if I ever heard Mrs. Woodthorpe say that she would be revenged on Mrs. Clark, and I told her I did; but I never heard Mrs. Woodthorpe say so, and I never told the children that the food was bad, or in regard to it; they knew it, without my telling them.

CROSS EXAMINED BY MR. VAN DYKE.

I do not know how the beans were cooked; they did not taste salt. Don't know whether there was any salt in them or not. Don't know how many times the meat smelt; it was not fit to eat half the time. I am well and healthy. I have been pretty well, generally. I only fixed the beds once. I had been told not to do it. I don't recollect whether it was before or after the whipping. I don't think I did right, but I don't think I ought to have had such a whipping as I had. I think I did wrong when I ran off to Sacramento, when I simply came to town after wheels. I would not have told Mrs. Clark what I did about Mrs. Woodthorpe, only she was at me all the time. I told Mr. Roe, this morning, one or two things that I would testify to. One was, that one morning, being late to breakfast and hungry, a big boy named Ransom Smith and myself ran through the kitchen to the breakfast table, the front door being locked; this was on Thursday morning. Mrs. Clark locked me up and fed me on nothing but bread and water from that morning until Saturday night. I also told Mr. Roe that I was going to tell about how I got whipped. He did not ask me if I was going to tell about it, but I told him I was. Mr. Roe knew it at the time it was done. I never saw one of the Lady Managers at the institution at meal time since I have been there. Mrs. Clark and Mr. Roe both told me that some of the Lady Managers had said that they had visited the institution at all hours of the day, but I have never seen one of them at meal time for the three years I have been there. I have been in the Station House in this city only once; that was for running off after Mr. Larne whipped me. It was a little after Christmas—year before last. I came into town between twelve and one o'clock at night. I went up on Powell street to some of my friends; they were gone to bed. I walked up and down the street,

in front of the house, as I did not know how to find my way to a hotel. I did not know where there was one. A man came up to me and asked me if it was cold, and said: "Come along with me!" and took me to the Station House; he told me he would let me out the next morning, but he did not do it. I staid there that night, the next day, the following night, and until the middle of the following day, when I was taken back to the School. I made a little mistake. I ran off once before I went to Sacramento. I went to one of my friends, a Mrs. Haswell, on Third street, who took me back again. I left the institution about six o'clock in the morning—before breakfast; staid there nearly half a day, and then she took me back to the institution. I never ran away at any other time. I never told the children anything about the food, except when we would get to talking about it. At one time, not long ago, one of the boys asked me if I found sticks in the tea. I said I did, and he said he did too. That is the only time I ever spoke about the food, except when we got to talking about it. That is the only instance I can recollect of ever saying anything about it. I told Mr. Roe once about how we had bread and potatoes on the table, and no meat. That was a long time ago. That is the only time I can recollect. I cannot recollect that I ever told Mrs. Woodthorpe anything about the food being bad. I never told Miss Cameron that the food was not good, that I can recollect. I have told Mrs. Clark about the meat smelling. I told her I could not eat the rice. I believe that is all I told her. I dont remember ever telling her anything else about the food. Mrs. Clark asked me if I told about the veal being only one day old, and I gave her no answer. I did not eat the veal, but I saw the calf around three or four weeks—I think it was about that time. I like veal some, but not very much. I would rather have bread at any time than veal. I did not eat the veal, because I did not know how old veal must be to be fit to eat. I heard nobody speak at the table of the veal. I think Mrs. Clark told me that the calf had been killed. I took a note to Mr. Roe from Miss Cameron, yesterday. I think that he told me that I ought to be examined. He did not tell me why, but he told me, if I was examined, not to be afraid. I saw him at his house on Wednesday, between one and two o'clock. Mrs. Clark sent me out to get my dinner, and told me to come back again, and I saw Mr. Roe at his house after my dinner—on my return to the city. I believe he told me not to be afraid—that's all. Nothing was said about the food, or Mrs. Woodthorpe, that I can recollect of. I had been in the city to be examined. Fixing the bedsteads so that they would fall down is the only wrong thing that I have done, that I can remember, at the institution, except the running away.

RE-EXAMINED BY COMMITTEE.

I could not say whether Mrs. Clark wanted me to tell this story about having told the children that the meat was bad for her benefit or not. She only told me to tell it as I have told it here to-day. She has talked to me once or twice about telling the legislative men that I had told the children that the food was bad, and that they threw it up. She has talked to me every day this week about this examination. She did not ask me to say anything, except what I have stated.

his
LEVI X CALLISH.
mark.

GEORGE A. HILL, witness to mark.

Subscribed and sworn to before me, this twenty-ninth day of January, eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

SUPPLEMENTAL STATEMENT BY MRS. CLARK.

Mrs. Roe came to the institution very unexpectedly, even to her husband. He was at that time occupying a small bedroom. We had to give them the room intended for a music room, in the new wing. He asked me what would be charged for his wife's board. I told him I had no authority to take boarders, but she could remain for the present. In a day or two she proposed working for her board, to which I consented, giving her a class I had been teaching crochet work. From the beginning she took a dislike to one of the pupils, Evadne Shirley, and sent her out of the room. The Matron complained to me of the neglect, and I sent her back frequently, every time I knew it. When in the institution about four months, I spoke to her in the morning; received no reply. Saw her again same day, and asked her if she was sick; still no answer. Asked Mr. Roe and Mrs. Woodthorpe what was the matter; both said they did not know. At the usual hour the children went to their lesson. Mrs. Roe would not teach them, but sent them to me. Again asked Mr. Roe what was the matter; he said Mrs. Roe was not well. The following day the same thing occurred. I asked Mr. Roe if his wife was sick. "No; her baby was not well." The next day the same thing occurred, and no excuse given. All this time Mrs. Roe refused to speak to me, and I then told Mr. Roe he had better find a boarding place for his wife the first of the month. She left the following day.

Miss Lovekin was Teacher one month and a few days, during which time we had an examination. She was so deaf she could not hear whether the pupils answered the questions correctly or not. At the examination she refused to ask scripture questions, and behaved in such a manner that the Reverend Mr. Thrall said to me that I had better send her away as quickly as possible, as he thought she was an infidel. Mr. and Mrs. B. H. Randolph, then present, told me it would not answer to have such a Teacher.

Mr. Striby was employed to teach from eight A. M. to six P. M., two days in the week, if the number of pupils made it necessary. At the latter end of the term he wished the pupils to give him a concert. I made known to Mr. Clark his wishes, and he said it would never answer to allow State pupils to give any individual a concert. Most, if not all the Managers and myself, agreed with Mr. Clark. An additional reason was, that the children would have to be reclothed with new suits. Mr. Striby, on being informed of the decision, became very angry, and used very insulting language.

Mrs. Woodthorpe is a woman of very quick temper, and when she was angry injured the pupils' feelings by calling them ignorant paupers, and other names. I did not pay much attention to this, thinking it only a bad habit of hers, and no evil intended. At the close of the term last June, she wanted to go with the pupils, to see them delivered to their parents—it being the custom to have some one go to take care of them.

She claimed it as a right, being the eldest Teacher. She was told if she would go to the office of the California Steam Navigation Company and get a free pass, she might do so. (The company always give a free pass to the pupils going and returning at vacation.) She went, I believe, as far as Grass Valley, and returned, bringing a pupil, Charles Jones, and presented a claim of twenty-two dollars and thirty cents for extra expenses, which was paid to her. She then left the institution, stating she was going to Napa. Shortly after this, Mr. Crandall came to the institute and handed me a letter written to him by Mr. B. F. Harlan, of Yuba City, father of one of the pupils, in which Mr. Harlan says his boy had been well treated while he, Mr. Crandall, was at the institution, and had been badly treated since; when Mr. Crandall was going to return; what steps were necessary to be taken to effect a change, etc. Mr. Crandall had never seen or heard of Mr. Harlan or his son—the boy having entered the School after Mr. Crandall left—and did not know what to make of it. In connection with this letter, we soon ascertained that Mrs. Woodthorpe had been trying to poison the mind of every parent whose child she had under her charge; and when these facts became fully known, Mr. Clark told me to send a note to her son's house, stating that her services were no longer required. I did so. She was hired by the month, and I did not promise or expect to pay her during vacation. In connection, I will state that Mr. Clark wrote to Mr. Harlan, giving him the facts, and invited him to come with his son, at the commencement of the term, and remain at the institution until his anxiety as a father was perfectly satisfied. He and Mr. Thresher—who had heard the same stories—came with their boys, remained in town a week or more, visited the institution daily, saw what the children had to eat, where they slept, at their studies and plays, and returned home feeling that their children were happy and well cared for, and that the stories they had heard were without foundation. The letter is hereto attached and marked [D.]

The School-rooms are in the girls' wing, and were formerly left open, but owing to the girls going into them with the boys, I was forced to make a rule to have them locked unless a Teacher was with them. It is the duty of the Teachers to act as Monitor alternate weeks, and to be with the boys from six in the morning until they retire. The Teachers always have the keys, except in one or two instances, when circumstances have forced me to take charge of them for a day or two. This has never occurred during Mr. Crandall's week as Monitor. Whenever I see the children in the rain I send them in.

The door was taken off the hinges because the girls were constantly closing it. The Matron, being deaf and dumb, could not hear, and the object of having the door open was that in case any of the girls were taken sick during the night, or played too much after going to bed, the Teacher who occupied an adjoining room might hear them.

It is against the rules of the institution for the male Teachers to be in the girls' apartments. Mr. Roe was frequently in the girls' music room practising on the piano when it was the girls' hour for practice, and his duty to be with the boys. He was frequently requested not to go there, and told he could practice on the boys' piano if he wished. Not long since I was showing some visitors through the buildings, and on coming to this room, (girls' music room,) I found it locked, and Mr. Roe and a young lady inside. I then thought it best to have a look on the door that Mr. Roe could not unlock, and acted in accordance with what I deemed proper.

MRS. P. B. CLARK.

Subscribed and sworn to before me, this twenty-ninth day of January, eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

[D]

[Private.]

YUBA CITY, SUTTER COUNTY, CAL., }
June 28th, 1863.

Mr. H. B. CRANDALL:

DEAR SIR:—I embrace this opportunity of writing you a few lines, to inquire whether you intend to return and teach in the Deaf and Dumb Institution. My reason for wishing to know is, I find that my son is very fond of you, and wishes you to return. I also feel very anxious on the subject, for I find since you left that my son is very much dissatisfied with his present Teacher, and tells me that they treat him very different from what they did while you were his Teacher. I have heard the same from other scholars from the same School, and I find it will be hard to get him to return without he finds you are going to return as Teacher. I wish you to inform me whether you will return or not. If you do not, I, with others, feel that we will hardly consent to return our children unless there is a change in the department; and knowing that you are very popular with all the patrons of the School, hence I think you would be the proper person to teach in that establishment. If you do not return, I will now ask you for information: Supposing that the rest of the patrons of the School feel as we do, what would be the mode of a change in the department, if there can be any? You will please write and give me all the information that you are in possession of in reference to the School. By so doing you will much oblige,

B. F. HARLAND.

N. B.—Direct your letter to Yuba City, Sutter County, California.

SUPPLEMENTARY STATEMENT OF AZEL S. ROE, JR.

SAN FRANCISCO, January 22d, 1864.

To the Committee appointed to investigate the affairs of the Institution for the Deaf, Dumb, and Blind:

GENTLEMEN:—In the spring of eighteen hundred and sixty-two, I saw an advertisement in the paper for a Teacher in the California Institute for the Deaf and Dumb and the Blind—the salary, one thousand dollars per year, and board. Having resigned the position which I occupied in a similar institution in Baton Rouge, in consequence of the war, and having been unemployed for several months, I wrote immediately to Mrs. Clark, stating my age and experience in teaching, and offering myself

as a candidate for the situation, also inclosing my letters of recommendation. By return of steamer I received a letter from her, accepting me as Principal Teacher of the deaf and dumb. She stated what would be required of me, and also that if I thought best to bring my family she presumed satisfactory arrangements could be made for their residence in the institution. Acting according to the advice of many of my friends, I came alone. On the sixth of August, eighteen hundred and sixty-two, I arrived at the institution, and commenced duties on the eleventh.

The day after my arrival was the time appointed for the monthly meeting of the Lady Managers. I was introduced to the few that were present, and was surprised to learn from them that they had not heard a Teacher had been sent for. I know that this circumstance made a very unfavorable impression upon my mind in regard to the government of the institution. Mrs. Clark said she attributed it partly to their want of interest in the institution, and partly because they felt such unbounded confidence in her management.

Feeling a particular desire to become acquainted with the characters and abilities of my pupils, I did not take much notice of the internal arrangements, and whatever things I saw wanting I attributed to a want of funds, as Mrs. Clark had told me that the strictest economy had to be practiced, and oftentimes money was spent from her private purse for the institution. For the space of two months after my inauguration in the School, I can think of nothing in particular to complain of.

Mrs. Clark often expressed surprise at my not bringing my wife with me, and would say: "Now, if your wife was only here, you would be perfectly happy." I then gave her my reason for not bringing her with me, namely: that I thought my salary was not sufficient to pay her board out of the institution. She then remarked that she did not expect me to pay her board out of my salary, for Mrs. Roe could teach one hour and a half a day for her board. "*She* was not particular, but wished to satisfy the Lady Managers." At the same time, she said to me that when the number of pupils increased sufficiently she might have a class, and receive a salary. I had been waiting for encouragement of this kind, and immediately wrote for Mrs. Roe to come out.

The prospect of again engaging in her much-loved occupation of teaching the blind (for she had taught two years in Virginia, and one in Baton Rouge,) gave her courage to undertake the long voyage alone, with her babe, nine months old. She arrived the twenty-sixth day of November. It was soon after her arrival that I saw the injustice and selfishness appear in Mrs. Clark. She refused to furnish a stove or fuel for our room, the whole furniture of which room was purchased by myself. After Mrs. Roe's voyage, she was naturally fatigued, and remained in her room a day or two. I said I would carry her meals to her myself, but Mrs. Clark remarked that my wife had better come to her meals, as she did not wish food taken from the table. I was actually obliged to go out and buy food for her. I cannot help stating here that the manner of Mrs. Clark towards my wife was *brutal*. A crust of bread, or any little thing my baby could eat, was forbidden, and my own purse furnished afterwards whatever my child needed. In no way, I solemnly declare, did my wife give cause for such treatment. I made up my mind then, that any person who could impose upon a young couple, far from friends and home, and entirely under her power, was not only unfit for any position of responsibility, but unworthy of the confidence of the State. After that, I saw and felt

the power she had over me, and could but hear her insults with silence.

I soon was told that she had been much disappointed in my personal appearance. She told me, herself, she wished I was taller and older. If I had supposed her capable of such narrow-minded views, I should have given her a more minute description of myself, I think, in my letter; but, probably, I should never have presented myself to her fastidious eyes.

I do not speak thus particularly of these things either for the mere purpose of informing you, or out of feelings of vindictiveness, but in compliance with your request.

Previous to February twenty-third, at which time she caused Mrs. Roe's removal, she wished to have her name placed in the catalogue, among the list of Teachers. Mrs. Roe objected, on the ground that she did not consider herself a regular Teacher. From that time, Mrs. Clark's manner changed decidedly, and she appeared to improve every opportunity to annoy and make her position unpleasant, notwithstanding my wife studiously avoided coming in contract with or offending her, either by act or expression.

When Mrs. Clark desired her removal, I made no remonstrance, but found a boarding place, and took my wife there. Not being able to pay for board for myself also, I continued to take my meals at the institution. My duties requiring my attention a great part of the day and evening, I had but little social intercourse with my family, which made my labors doubly hard. I will say here that I know of no institution of this kind in which the Teachers are obliged to be separated from their families for such an unreasonable time as in this. Either the Teacher has his family with him in the institute, or else he has sufficient salary to keep house or board with them. In new Schools, like this, where but few Teachers are needed, it is *right* for them to live in the building, that they may be near and attend to the pupils. But if we are obliged to be absent from our family circle from six o'clock in the morning till nine o'clock at night, without being permitted to leave the grounds, it is too near an approach to that *curse* which our fellow men are striving to blot out from our beloved country on the field of battle.

This has been one of the rules of our State Institution for the Deaf, Dumb, and Blind, since the first day of August last. I have, in consequence, oftentimes not had ten minutes conversation with my family in a week; and the Assistant Teacher remains the entire week at the institution, his wife living in town, at her father's. In being obliged to be on duty at so early an hour in the morning, and having had no proper place to remain in cold and rainy weather, my health has suffered greatly, and my Physician has told me that such exposure will soon wear out a strong constitution. Since I have been a Teacher in this School, I have not lost more than six days by illness, although preferring much to suffer from any trial sent from God rather than the angry remarks of our Principal. I have been in my School-room, and attending to my duties, when nature was almost exhausted. I have striven faithfully to do all my duty towards my unfortunate pupils, and from the person I would naturally expect advice and encouragement, I have only met with rebuke and some cutting remark. Every Teacher of any ambition feels gratified to have his class visited and examined occasionally. Mrs. Clark, understanding something of the language of signs, would be the one naturally expected to visit the School-rooms, and take pleasure in witnessing the progress of the pupils; but I have never been gratified by a remark of any kind from her about the improvement of the chil-

dren under her care. I know this is wrong, and a great neglect on the part of one holding the position she does. I consider her utterly incompetent to be Principal of such an institution.

I am free from all malice or bitter feeling towards Mrs. Clark. I have taught as long as I can under her administration. Should the Trustees which the honorable members of our Legislature see fit to appoint wish me to take my place again as Teacher, under a new administration, I shall be very happy to accept it.

I came to California expressly to teach in this School. This is my profession; I am dependent upon it to support my family; and, most of all, I love it as my life.

STATE OF CALIFORNIA.

City and County of San Francisco. } ss.

Azel Roe, being by me duly sworn, on oath says, that he has read the foregoing communication, and knows the contents thereof, and that the same are true, of his own knowledge.

AZEL S. ROE, JR.

Subscribed and sworn to before me, this twenty-third day of January, A. D. eighteen hundred and sixty-four.

E. W. ROBERTS,
Chairman Joint Committee.

AFFIDAVIT OF WILLIAM EDGINGTON.

William Edgington, of Napa County, State of California, being first duly sworn, on oath deposes and says :

That he has not paid directly to Mrs. Clark one hundred dollars, or any other sum whatever. Affiant further deposes and says, that he paid Dr. Pardee, by his own hand, the sum of twenty-five dollars, and sent by express to Dr. Pardee, the sum of twenty-five dollars; and that my wife paid Mrs. Clark the sum of twenty-five dollars; and that I gave my daughter the sum of twenty-five dollars, to give Mrs. Clark. All of which sums were paid by me for Mrs. Clark.

his
WILLIAM ~~X~~ EDGINGTON.
mark.

Witness to mark : R. N. SIMS.

Sworn to and subscribed before me, this twenty-third day of January, A. D. eighteen hundred and sixty-four.

A. A. HUNNEWELL,
Notary Public.

Collect two dollars and fifty cents fees, etc., and send to me.

Yours, etc.

WILLIAM EDGINGTON.

LETTER OF B. H. RANDOLPH.

PHILADELPHIA, September 8th, 1863.

Mr. P. B. CLARK, San Francisco:

MY DEAR FRIEND:—Your favor of the twelfth ultimo, with forty dollars (\$40) inclosed, was received yesterday. We were very sorry to hear of the death of Mrs. Taber, who we supposed was in better health than she had been. Please express to Mrs. Clark our deep sympathy for her severe bereavement.

After the receipt of your first letter I wrote to Mr. Ganlandet, which my wife mentioned in her letter, thinking it would be the best course to pursue, as he was well acquainted with all the institutions, and would know, better than any other person, where we could look for a Teacher to meet your requirements. We received no answer, but accidentally met him at a book store in New York, as we were on our way to his residence. He knew of no one, unless it was a Dr. Milligan, in the Philadelphia School, who we might influence, and that he would come nearer your idea than any one else. We immediately called to see this person, and found him disposed to take the matter into consideration, and would give us an answer in a few days. We were pleased with his appearance, and hoped we might have a favorable answer. He called to see us, and after finding that the building was unfinished, and that his compensation would not be greater than he now receives, and his position not as agreeable—he now being employed but four hours each day—he declined the offer. We think, however, that he might be persuaded to accept the position of Principal, provided Mrs. Clark, after his arrival in California, was satisfied with his qualifications. He is married, and is not now required to live in the institution. He said he knew a young man twenty-six years of age, who, he said, was an under Teacher with him, that might be disposed to go.

We leave here in October; therefore, there is no time to hear from you. We think you had better write to Mr. Ganlandet and request him to engage Dr. Milligan, provided he is satisfied with him, and believes him suited to be the Principal of our institution. I would not take the responsibility of sending him to California, even if you wrote for me to do so. No one but a person like Mr. Ganlandet could judge of his qualifications, and I think he is capable of doing so.

If Mrs. Clark desires to have some person relieve her of her present burden, I think this will be a good opportunity for her to do so. I do not think, as scarce as good Teachers are, that we can secure the services of a competent person in any other way. We might engage the person Dr. Milligan mentioned, but there is no certainty that he will be better than Mr. Roe.

I did hope we would get the seventy-five thousand dollars to complete the building, and was sorry to hear of the fatal defect.

As I said before, we hope to leave here in October, provided we can have the two best steamers on this side and the Pacific. I was very glad to hear of the defeat of the Copperheads, and the election of Low. Everything looks favorable to a close of the war. When Charleston is taken I think it will end. I do not think the South will be very sub-

missive, but they will have been conquered, and the masses will compel the leaders to adjust the difficulty.

Mrs. Randolph sends, with me, her kindest regards to Mrs. Clark.

Sincerely, your friend,

B. H. RANDOLPH.

SUBPŒNAS FOR THE DEFENCE.

Personally served subpœnas upon the within named parties, to appear before the Joint Committee of the Legislature, to investigate the workings of the San Francisco Deaf, Dumb, and Blind Asylum, for the defence :

Mrs. J. R. West,
Mrs. Mark Brumagim,
Mrs. A. Grant,
Mrs. O. F. Willey,
Mrs. O. C. Pratt,
Mrs. Louis Wertheimer,
Mr. Louis Wertheimer,
Mrs. C. J. P. Wright,
Dr. J. P. Whitney,
John Center,
Wm. A. Boyd,
— Perry,
Mary Dillon,
Ann Phelan,

Elizabeth Harwood,
Mrs. Wakeman,
W. O. Andrews,
Mrs. Devine,
H. B. Crandall,
Miss M. Cornell,
Mary Ann Dillon,
Anna Phalon,
Elizabeth Hughes,
C. Geddes,
George Banks,
Mrs. Jeffreys,
Mrs. Sheldon,
Levy Callish.

Informing them of the contents of the subpœna, this thirtieth day of January, A. D. eighteen hundred and sixty-four.

After diligent search, not found :

Mrs. M. J. Burke (sick),
Mrs. E. A. Holbrook,
Mrs. Frank Brooks,

Mrs. G. Bell,
Mrs. Price,
Mrs. Lowenberg.

B. S. BLITZ,
Sergeant-at-Arms, Joint Legislative Committee.

SUBPŒNAS FOR THE STATE.

Personally served subpœnas upon the within named parties to appear before the Joint Committee of the Legislature, to investigate the workings of the San Francisco Deaf, Dumb, and Blind Asylum, on behalf of the State :

Mrs. Georgiana Woodthorp,
Mrs. Lawrence,
Mr. Striby,
Dr. C. H. Pardee,
P. B. Clark,
Azal S. Roe,

J. P. Whitney, M. D.,
Mary Gordon,
Mrs. P. B. Clark, with records
and documents, etc., of the
institution;
Levi Callish.

Informing them of the contents of the subpoena, this thirtieth day of
January, A. D. eighteen hundred and sixty-four.
After diligent search, not found:

Constantine Mueller,

| Minnie Mary Gordon.

B. S. BLITZ,
Sergeant-at-Arms, Joint Legislative Committee.

[EXHIBIT A.]

PLACERVILLE, March 4th, 1863.

MY DEAR FRIEND:—How do you do? I hope you are well. I would like to write you, and let you know that I am very well. I was very glad to come home. Emma Downey is at home now; I was helping Emma out. I have two letters from Emma; she told me Mrs. Clark did not want Emma to go home; she said that I was coming back in one month. I will never go back. Emma was very glad to get home; she told me her mother thanks me very much for helping Emma out. Mr. Roe wrote a letter to Emma; he said I was coming back to School one month. I am not going back. My mother thanks you very much for taking me to the Doctor. Tell the Doctor I am very well; I thank the Doctor very much. I want to see our old Teacher. Mr. Crandall, very much; he is a good man. How is Miss Cornell? Tell her that I would like to see her very much. Give my love to Jane See and Anna Bissell. Tell Louisa that I am very glad to get home. I want to see Louisa, and Christina, too, bad. Tell all the deaf and dumb and the blind that I would like to see them. Give my love to your daughter. I want you to write as soon as you get this letter from me.

From your affectionate friend,

MARY A. COATES.

G. WOODTHORPE.

[EXHIBIT B.]

VIRGINIA CITY, October 22d, 1862.

MY DEAR FRIEND:—I remember the promise that I said I would write you. To-day I have time enough to write. As my palm of the hand is

sore which I am writing with, you must excuse the ugly writing, as I cannot try to write well. I believe it is the felon, though I can write. Since I left you, have been well, with the exception of the hand; but the water that we do drink is unusually bad. I like this scene very well. I am working at the Spanish mine, at four dollars a day. I think the wage around her is fair, and is better than the wage that I earned at the institution. Last week I wrote a letter to Miss Cornell, and have not received any from her. Has she? You will ask her, if you please. There is a small School-house in this city; I tried to get you a situation, but they said the Teacher (female) is engaged for one year. I know you will not like this very much as bad as I do and I don't think I will stay much long. I will go home next January, and never will come back, because the water, I notice, all the time is surely bad, and this place is very well known as an unhealthy place. San Francisco is the best place I ever met in this new world. How is Mrs. Clark? I don't want to know! I am going to let the Governor know all what I know of her since I commenced to teach, as well as you do. I would like to know how all the children are. I do love them as ever, as if I am their father. How are your children? Send my love to them all so, God knows, and God will bless them as long as they live. Will you be so kind as write me as soon as you receive this, for I want to know something at the institution. Give my love to the little beloved lamb—I forget her name—I believe S. Kelly, a Spanish blind girl, and also all the scholars of yours. You will not despise me, my dear friend, for we are great travelers over all the world, and Mrs. Clark is of a small potato. I am sure that she is a worthless Christian. I will always remember her wrong doing toward me that I have been as good servant to her I see a such thing very wrong and unjust. Do write me as soon as you receive.

Yours, respectfully,

H. B. CRANDALL.

[EXHIBIT C.]

Mrs. Clark made me troublesome often. She deceives us often. She am anxious to get money to use for the deaf and dumb; she don't, I saw. We don't taste bad hash this morning. She gives us to eat bad beef. I know Mrs. — eat new meat often. We all know her, and is sly and cunning. I know her hate us all.

Write by H. R. GIDDING.



MAJORITY AND MINORITY REPORTS

OF THE

Committee on Elections of Senate,

IN THE

CONTESTED ELECTION CASE OF

Charles H. Randall vs. J. W. Haskin,

WITH DOCUMENTS RELATING TO THE SAME.

O. M. CLAYES.....STATE PRINTER.

MAJORITY REPORT.

MR. PRESIDENT:—The Committee on Elections, to whom was referred the matter of the contested election case of Randall vs. Haskin, have had the same under consideration, and respectfully submit the following report :

The grounds on which Randall, the Contestant, claims that he is entitled to the seat now held in this Senate by said Haskin, are, 1st—That said Haskin did not receive a majority of the legal votes of the Twelfth Senatorial District at the last general election for the office of State Senator, and that he, the said Randall, did receive a majority of the votes so given at said election ; 2d—That the said Haskin has never been a citizen or qualified elector of said Twelfth Senatorial District.

To sustain the first allegation, the Contestant claims that the Twelfth Senatorial District is composed of the County of Tuolumne alone, and refers the committee to a law passed by the Legislature in eighteen hundred and sixty-one, page five hundred and thirty-six of the statutes of that year, section twelve, which reads as follows :

“Section 12. The County of Tuolumne shall be the Twelfth Senatorial District, and shall elect two Senators, and also three Members of the Assembly,”

Which, it is claimed, is the last law passed on that subject, and which, in the last section, repeals all laws in conflict therewith. The Contestant further claims that said election was held by virtue of a proclamation issued by the Governor of this State, and which calls for the election of two Senators in the Twelfth Senatorial District, composed of the County of Tuolumne. The Contestant also produced the certificate of election held by said Haskin, which declares that he was duly elected Senator from the Twelfth Senatorial District, composed of the County of Tuolumne, and was issued to said Haskin by the County Clerk of Tuolumne County, and referred the committee to page three hundred and seventy-nine, section forty-one, Wood's Digest, which declares that when officers are elected by districts, that the certificate shall be issued by the County Clerk of the county coming first in alphabetical order. The Contestant also introduced as evidence a bill passed by the Legislature subsequent to the passage of the apportionment law, which attached Mono County

to the County of Calaveras for representative purposes, which bill did not receive the signature of the Governor, and failed to become a law, which action of the Legislature, the Contestant declares, plainly shows that the members were aware that they had failed to provide for Mono County, and, so far as they could do so, provided a remedy by attaching it to the County of Calaveras. The Contestant also proved to the committee that at the time the County of Mono was created it was formed principally from territory taken from the County of Calaveras, and that none of the territory forming said county was taken from the County of Tuolumne. It was also shown to the committee that, at the time the apportionment was made, the population of Calaveras County, before Mono was taken from it, was about the same as that of the County of Tuolumne; and therefore the Contestant claims that if Mono is not attached to any county by law for representative purposes, that it properly belongs to the County of Calaveras, if to any.

The committee have carefully examined all the points made by the Contestant on this subject, and find that questions of law alone are involved, and believing, as they do, that in the decision of questions of this character laws should be so construed, if possible, as to secure to all the citizens of the State the most sacred of all rights—the right of representation—have come to the following conclusion, to wit: That on the twenty-fourth of April, eighteen hundred and sixty-one, the Legislature passed a law creating the County of Mono, the eleventh section of which reads as follows: "The County of Mono, for representative purposes, shall be attached to the County of Tuolumne, and shall be attached to and form a part of the Seventh Senatorial District; and for judicial purposes, shall be attached to and form a part of the Sixteenth Judicial District until otherwise provided by law;" which section, in the opinion of the committee, is still in force, so far as the same attaches Mono to Tuolumne for representative purposes; for it cannot be said that Mono has been otherwise provided for by law, neither do we think that the twelfth section of the subsequent law either repeals or in any manner interferes with the language of this section; but that so long as Mono was attached to Tuolumne for representative purposes, and no other special disposition was made of it by law, that it still continues to be so attached, notwithstanding the number of the Senatorial District has been changed; nor do the committee believe that this can be said to be a forced or partisan construction, for, since eighteen hundred and sixty-one, the people of the two counties have so construed the law, and have elected Senators and Members of the Assembly, and they have been recognized by the Legislature as being lawfully elected, and for a period of three years this question has never been raised before. In coming to this conclusion the committee believe that they are but securing to the people of Mono County the right of being represented in this Legislature to which they are entitled under the Constitution and laws.

So far as the second allegation of the Contestant is concerned, the conclusion arrived at by the committee on the first concludes the second, for it is not claimed that Mr. Haskin is not a resident of Mono County; and if it were, if we conclude that Mono is a part of the Senatorial District, then so far as the Contestant is concerned it would make no difference whether he was or not, for it is conceded that in the Counties of Mono and Tuolumne he received more legal votes than did the Contestant—so that if he could not hold his seat by reason of his being a non-resident, then Randall could not, inasmuch as he did not receive a majority of the votes cast.

Your committee, therefore, recommend the adoption of the following resolution :

Resolved, That Charles H. Randall is not entitled to the seat now held in this Senate by J. W. Haskin, as Senator from the Twelfth Senatorial District.

R. C. GASKILL,
Chairman ;
W. H. LEONARD,
J. W. MOYLE,
W. E. LOVETT.

MINORITY REPORT.

MR. PRESIDENT:—The undersigned, a minority of Senate Committee on Elections, to whom was referred the subject of the contested election of Honorable J. W. Haskin, begs leave respectfully to report and submit, that he dissents from the correctness of the facts, as also the conclusions of both law and fact reported to the Senate by the majority of the committee.

The minority of your committee deem the report of the majority incorrect on matters of fact in this, to wit:

First—It is not claimed by the Contestant, as stated in the majority report, that Honorable J. W. Haskin never has been a citizen of the Twelfth Senatorial District.

Second—It was shown by the Contestant that at the time the apportionment was made, to wit: in eighteen hundred and sixty-one, the County of Tuolumne contained one thousand six hundred and ninety-eight more white population than the County of Calaveras, including that portion of Mono County which was detached from the County of Calaveras, and was not, as reported by the majority of the committee, "*about the same.*"

Third—The Contestant did, before the committee, deny, and does still deny, that Honorable J. W. Haskin ever, at any time, either resided in the Twelfth Senatorial District or in the County of Mono, or that he ever was a qualified elector of said district or county.

The minority of your committee respectfully submits the following as a statement of the material facts in this case, as shown by evidence or admitted by the incumbent of the office before your committee:

First—That Honorable J. W. Haskin had been for several years a resident of this State, was a married man, and, previous to the spring of eighteen hundred and sixty-three, resided in different parts of the State, but for a short period anterior to the spring of eighteen hundred and sixty-three he, together with his family, resided in the City of San Francisco; that his family continued to reside in the City of San Francisco during the year eighteen hundred and sixty-three, and still reside there; that about the month of February, eighteen hundred and sixty-three, the Honorable J. W. Haskin went to Aurora on business connected with a mining operation at that place, where he continued, generally, until about the tenth of September, eighteen hundred and sixty-three, at which time, according to his own statement, he went to Bridgeport, in

Mono County, so as to enable him to acquire a residence and hold a seat in the Senate of this State.

It was also shown and admitted before the committee that the State boundary line passes three and a third miles west of the Town of Aurora, and that Aurora is in the Territory of Nevada.

It was admitted by Mr. Haskin that the facts hereinbefore stated were the only evidences he had to show that he had at any time resided either in the Twelfth Senatorial District or in the County of Mono.

The minority of your committee would further report and submit, that whether the Contestant, Charles H. Randall, is entitled to a seat upon the floor of the Senate, is by no means the only question submitted to your committee; that if, upon examination of the law and the facts, it should appear that the Contestant, Mr. Randall, is not entitled to a seat, it by no means follows that Honorable J. W. Haskin is. Mr. Randall is admitted to be a qualified elector of the State, and as such, is deemed to have the right to contest the right of Mr. Haskin; and as one of the grounds of contest is that Mr. Haskin never was a resident or qualified elector of the district which he claims to represent, it is the right of the Contestant to submit the question to the Senate.

Whether the electors of the Twelfth Senatorial District may be represented upon this floor by one legally incompetent, by no means interests or affects electors of the Twelfth District alone—it affects the whole State; and to suffer or quietly submit to it would bring the law into contempt, and utterly destroy the dignity and respect that is of right due to the office of Senator.

The minority of your committee would therefore respectfully submit to the Senate the question of law: whether Mono County is, or was at the last general election, a part of the Twelfth Senatorial District; and whether, if it is, the present incumbent, Honorable J. W. Haskin, is entitled to a seat on this floor as a Senator.

The minority of your Committee would further report, as matter of fact, as shown before the committee, that the election returns show that the Contestant received more legal votes in the Twelfth Senatorial District, as classified by the Act of eighteen hundred and sixty-one, and that there was no evidence before the committee to show how the vote would stand between the Contestant and the incumbent if the votes that were counted for Mr. Haskin which properly belong to Nevada Territory should be thrown out.

The minority of your committee, in conclusion, therefore recommend that the Contestant may be heard in this behalf by Counsel and in person, that he may have the judgment of the Senate upon all the questions involved.

GEO. PEARCE,
Minority of Committee.

DOCUMENTS AND PAPERS

RELATING TO THE

Contested Election of C. J. Randall and J. W. Haskin.



DOCUMENTS, ETC.

NOTICE OF CONTESTING ELECTION FOR STATE SENATOR, TWELFTH SENATORIAL DISTRICT.

To R. E. GARDINER, *Clerk of the County of Tuolumne, ex officio Clerk of the Fifth Judicial District Court* :

To J. W. Haskin and all other citizens and electors of said county—

I, Charles H. Randall, a citizen and elector of said County of Tuolumne, hereby give notice that I intend to and do hereby contest the election of the said J. W. Haskin to the office of Senator for and from the Twelfth Senatorial District, composed of the said County of Tuolumne.

The grounds on which said contest is made are that the said J. W. Haskin did not receive a majority of the legal votes of said Twelfth Senatorial District for said office, and that the said J. W. Haskin never has been a citizen or qualified elector of said Twelfth Senatorial District; that I, Charles H. Randall, at the general election held September second, eighteen hundred and sixty-three, received, for said office, a larger number of legal votes than the said J. W. Haskin in the Twelfth Senatorial District, composed of Tuolumne County.

CHAS. H. RANDALL.

SONORA, November 3d, 1863.

STATE OF CALIFORNIA, }
County of Tuolumne, } ss.

Charles H. Randall, being duly sworn, deposes that he has read the foregoing notice of contest signed by this deponent, and [STAMPS.] knows the contents thereof, and that the same are true in substance and matter of fact.

CHAS. H. RANDALL.

Subscribed and sworn to before me this third day of November, A. D. eighteen hundred and sixty-three.

R. E. GARDINER, Clerk.

By J. J. POTTER, Deputy.

(Indorsed:)

"Fifth District Court, Tuolumne County.

"Charles H. Randall vs. J. W. Haskin.

"Notice of contesting election for State Senator, Twelfth Senatorial District.

"Filed Nov. 3d, 1863. R. E. GARDINER, Clk.; by J. POTTER, Dep."

COMMISSION TO TAKE TESTIMONY.

STATE OF CALIFORNIA, }
County of Tuolumne. }

To JAMES LETFORD and C. L. STREET:

Whereas, Charles H. Randall, of said county, is about contesting the election of J. W. Haskin to the office of Senator of the Twelfth Senatorial District, and has duly filed his statement in the Clerk's office of the District Court, Fifth Judicial District, for said county, setting forth the grounds upon which he intends to rely:

Now, therefore, in confidence of your prudence and fidelity, I have appointed you, and by these presents do appoint you Commissioners, to meet at the Court-house in Sonora, on Friday, the twenty-seventh day of November, A. D. eighteen hundred and sixty-three, at ten o'clock A. M. of said day, and then and there, from day to day, if necessary, we authorize and empower you to take the depositions of such witnesses as the parties to the contest may wish to examine.



Witness my hand and seal of said District Court, this fifth day of November, A. D. eighteen hundred and sixty-three.

R. E. GARDINER, Clerk.

[STAMP.]

(Indorsed:)

"State of California, County of Tuolumne. In the matter of the contested election between Charles H. Randall and J. W. Haskin.

"Commission to James Letford and C. L. Street to take depositions.

"Filed Nov. 27th, 1863. JAS. LETFORD, C. L. STREET, Commissioners."

NOTICE OF CONTEST.

CLERK'S OFFICE, DISTRICT COURT, }
Fifth Judicial District, Tuolumne County. }

J. W. HASKIN, Esq.,

SIR :—You are hereby notified that your election on the second day of September, A. D. eighteen hundred and sixty-three, to the office of Senator of the Twelfth Senatorial District, composed of the County of Tuolumne, has been contested, and I herein transmit to you a copy of the statement of the party contesting.

A commission to James Letford and C. L. Street, Esquires, Justices of the Peace in and for Tuolumne County, has been issued, to take depositions in said case on Friday, the twenty-seventh day of November, A. D. eighteen hundred and sixty-three, at ten o'clock A. M., at the Court-house in Sonora, Tuolumne County.



Witness my hand and the seal of said District Court, affixed at Sonora this fifth day of November, A. D. eighteen hundred and sixty-three.

R. E. GARDINER, Clerk.

[STAMP.]

SHERIFF'S OFFICE, }
City and County of San Francisco. }

I hereby certify that I did serve the original notice, signed by R. E. Gardiner, Clerk of the District Court in the County of Tuolumne, and the within being a true copy of the same, on the within mentioned J. W. Haskin, together with a certified copy of the statement of Charles H. Randall, on the ninth day of November, A. D. eighteen hundred and sixty-three, personally, in the City and County of San Francisco.

JOHN S. ELLIS, Sheriff.

By R. P. LEWIS, Deputy.
San Francisco, November 9th, 1863.

(Indorsed :)

"State of California, Tuolumne County. In the matter of the contested election between C. H. Randall and J. W. Haskin.

"Copy of notice of contest.

"Received Nov. 9, 1863, at 8:20 A. M.

"Filed Nov. 18th, 1863. R. E. GARDINER, Clerk."

C. H. RANDALL, <i>Contesting,</i>	}
AND	
J. W. HASKIN, <i>Defending.</i>	

By virtue of the commission issued by R. E. Gardiner, Clerk of the Fifth Judicial District Court, to C. L. Street and James Letford, to take testimony in the contest of election for Senator of the Twelfth Senatorial District, the said Commissioners met at Sonora on the twenty-seventh day of November, eighteen hundred and sixty-three. E. A. Rodgers appearing for C. H. Randall, Contestant, and showing due and legal service of notice of contest, and certified copy of statement on J. W. Haskin, and the said J. W. Haskin not appearing in person or by Attorney, the Commissioners proceeded to take testimony.

JAS. LETFORD,
C. L. STREET,
Commissioners.

EXHIBIT A.

STATEMENT

Of the votes polled at a General Election held in the County of Tuolumne, State of California, on Wednesday, the second day of September, A. D. eighteen hundred and sixty-three, for State Senators.

PRECINCTS.	Geo. S. Evans.....	J. W. Haskin.....	Chas. H. Randall....	W. H. Dalrymple....
Sonora, North....	110	109	79	78
Sonora, South	156	148	128	128
Brown's Flat.....	26	26	54	54
Kinkaid's Flat.....	17	17	18	18
Williams' Ranch.....	36	36	22	23
Summersville	20	20	34	34
Cherokee	10	10	10	11
Blanket Creek	2	2	32	32
Soulsbyville.....	19	19	15	16
Severance's Old Mill.....	25	25	6	6
Hessian's Store.....	20	20	11	11
Sugar Pine Mill	48	46	25	26
Phoenix Reservoir.....	.....	.....	.....	.....
Davis' Flat	17	17	15	15
Strawberry Flat.....	18	16	79	81
Columbia, No. 1	171	173	60	59
Columbia, No. 2	109	109	106	106
Yankee Hill.....	24	21	28	30
Gold Springs.....	46	42	45	43
Saw Mill Flat.....	29	29	54	54
Springfield.....	73	73	24	24
Pine Log Crossing.....	3	3	28	28
Shaw's Flat	94	94	32	32
Tuttletown	5	4	42	42
Jeffersonville	19	19	24	24
Douglassville.....	16	16	45	45
Italian Bar	11	11	1	1
Cow Creek.....	12	11	49	48
Mill Creek.....	11	10	45	45
Spring Gulch, or Danville.....	18	5	84	72
Jamestown.....	110	106	83	85
Carried forward.....	1,275	1,237	1,278	1,281

EXHIBIT A—Continued.

PRECINCTS.	Geo. S. Evans.....	J. W. Haskin.....	Chas. H. Randall....	W. H. Dalrymple.....
Brought forward.....	1,275	1,237	1,278	1,281
Poverty Hill.....	44	44	45	46
Algerine.....	18	18	28	28
Chinese Camp.....	118	119	69	68
Montezuma.....	70	70	33	33
Crimea House	14	14	30	30
Peoria Flat.....	7	7	23	23
Dunlaps'.....	23	23	8	8
Siever's Ranch.....	.....	.....	.....	.....
Jacksonville.....	41	41	18	17
Stevens' Bar.....	27	27	6	6
Deer Flat.....	6	6	52	52
Big Oak Flat.....	61	57	56	51
First Garrote.....	33	33	23	23
Second Garrote	28	28	10	10
Hardin's Saw Mill.....	16	16	.....	.....
Moccasin Creek.....	15	15	72	72
Hawkins' Bar.....	6	6	9	9
Indian Bar.....	12	12	5	5
Don Pedro's Bar.....	26	25	32	33
Spring Gulch	13	8	18	13
Totals	1,853	1,806	1,815	1,798

(This document is indorsed:)

"Exhibit A.—Referred to in deposition of R. E. Gardiner. Filed November 27th, 1863. JAS. LETFORD, C. L. STREET, Commissioners."

EXHIBIT B.

STATE OF CALIFORNIA. }
County of Tuolumne. }

TALLY LIST

Of an Election held at Phoenix Reservoir Precinct, Wednesday, September second, eighteen hundred and sixty-three.

FOR STATE SENATOR.

George S. Evans*.....	2
J. W. Haskin.....	2
C. H. Randall	37
W. H. Dalrymple.....	37

STATE OF CALIFORNIA, }
County of Tuolumne. }

We, the undersigned, Inspectors, Judges, and Clerks of a general election, held on Wednesday, the second day of September, A. D. eighteen hundred and sixty-three, at Phoenix Reservoir Precinct, do hereby certify that the whole number of votes polled at said precinct was thirty-nine, and that the votes polled for the various officers were as above.

(Signed :)

HENRY ROWCROFT,
WARREN WILLIAMS,
AARON H. HYDE,
THOMAS SIMONS.

STATE OF CALIFORNIA, }
Tuolumne County. } ss.

Aaron H. Hyde, Thomas Simons, Henry Rowcroft, and Warren Williams, being duly sworn, depose and say, each for himself, that they were, respectively, Aaron H. Hyde, Inspector; Thomas Simons and Silas H. Reed, Judges; and Henry Rowcroft and Warren Williams, Clerks of Election, at the general election held on the second day of September, eighteen hundred and sixty-three, at the Election Precinct in the said county, Township Number One, known as the Phoenix Reservoir Precinct, and each and all duly qualified as such officers in the manner prescribed by law, and immediately after the close of the polls on said

* Between the names of the candidates and the figures indicating the number of votes received by each candidate are ordinary tally marks.

day, at said precinct, they made out a correct return of all the votes cast for each candidate, respectively, and signed the same. And deponents further depose and say that the annexed return is, to the best of their recollection, knowledge, and belief, a correct return of the number of votes cast for each candidate, respectively, at said Election Precinct on said day.

WARREN WILLIAMS,
HENRY ROWCROFT,
AARON H. HYDE,
THOMAS SIMONS,
SILAS A. REED.

Sworn to and subscribed before me, this fifth day of September, eighteen hundred and sixty-three.

J. D. REDMOND,
Notary Public.

STATE OF CALIFORNIA. }
Tuolumne County. } ss.

Aaron H. Hyde, being duly sworn, deposes and says, that he was the Inspector of Elections, as set forth in the foregoing affidavit; that immediately upon the returns of election having been duly made, in the manner prescribed by statute, he took sole possession of said returns, and the poll lists, and the ballots, cast at said Election Precinct; and that one of said returns, and the said ballots, and one of said poll lists, were made up into a separate package, in the presence of the other officers, and sealed, previous to being given to him; that he delivered the said package to a certain Thomas Meadows, with a request that he would deliver the same at the Clerk's office; and that he knows nothing as to what has become of said package since the same was delivered by him to the said Meadows.

And deponent further deposes and says that the duplicate poll list and the duplicate return of the votes cast, retained by him, were stolen or abstracted, without his knowledge, privity, or consent, from the place in his house where he had deposited them for safe keeping, since the said second day of September, eighteen hundred and sixty-three.

AARON H. HYDE.

Sworn to and subscribed before me, this fifth day of September, eighteen hundred and sixty-three.

J. D. REDMOND,
Notary Public.

(Indorsed:)

"Election returns, September 2d, 1863, Phoenix Reservoir Precinct."

Ordered—That it be entered on the minutes that there has been no returns received from the Phoenix Reservoir Precinct.

C. H. RANDALL, Chairman.

September 17th, 1863.

(This document is indorsed:)

"Exhibit B, referred to in deposition of R. E. Gardiner. Filed November 27th, 1863. JAS. LETFORD, C. L. STREET, Commissioners."

EXHIBIT C.

STATE OF CALIFORNIA,
County of Tuolumne. }

TALLY LIST

Of an Election held at Siever's Ranch Precinct, Wednesday, September second, eighteen hundred and sixty-three.

FOR STATE SENATOR.

George S. Evans*.....	18
J. W. Haskin.....	18
C. H. Randall.....	25
W. H. Dalrymple.....	25

STATE OF CALIFORNIA,
County of Tuolumne. }

We, the undersigned, Inspector, Judges, and Clerks, of a general election, held on Wednesday, the second day of September, A. D. eighteen hundred and sixty-three, at Siever's Ranch, do hereby certify that the whole number of votes polled at said precinct was forty-five, and that the votes polled for the various officers were as above.

P. S. BOWEN, Inspector.
H. FREUND,
FRED'K MYERHOFF, } Judges.
A. J. HYDE, }
B. F. WOOD, } Clerks.

(Indorsed:)

"Election returns, September 2d, 1863, Siever's Ranch Precinct."

These returns are not canvassed, but rejected, in consequence of the ballots not accompanying the returns.

C. H. RANDALL, Chairman.

September 22d, 1863.

* Between the names of the candidates and the figures indicating the number of votes received by each candidate are ordinary tally marks.

(This document is indorsed :)

"Exhibit C, referred to in deposition of R. E. Gardiner. Filed November 27th, 1863. JAS. LETFORD, C. L. STREET, Commissioners."

EXHIBIT D.

STATEMENT

Of the votes polled by the California Volunteers in the service of the United States, at a general election held throughout the State of California, and at Military Posts beyond the limits of said State, on Wednesday, the second day of September, A. D. eighteen hundred and sixty-three, for Senators for Twelfth Senatorial District, to be counted and canvassed in the County of Tuolumne.

VOTING PRECINCTS.	G. S. Evans.....	J. W. Haskin.....	C. H. Randall.....
Camp Connor.....	1	1	.....
Camp Crittenden.....	12	11	.....
Fort Bridger.....	2	2	.....
Ham's Fork of Green River.....	3	3	.....
Camp Douglas.....	3	3	.....
Benicia Barracks.....	23	23	1
Benicia Barracks.....	1	1	.....
Camp Stanford.....	22	22	.....
Fort Bragg.....	2	2	.....
Fort Crook.....	2	2	.....
Camp Union.....	1	1	.....
Camp Douglas, Third Infantry.....	11	11	.....
Fort Ruby.....	33	34	.....
Fort Miller.....	1	1	.....
Camp Babbitt.....	67	67	.....
Camp Lincoln.....	2	2	.....
Goose Creek.....	22	23	.....
Camp Bidwell.....	5	5	.....
Totals ...	213	214	1

STATE OF CALIFORNIA,
Department of State. }

I, A. A. H. Tuttle, Secretary of State, in conformity with the provisions of an Act in addition to an Act entitled an Act to regulate elections, approved March twenty-third, eighteen hundred and fifty, and all Acts amendatory thereof and supplemental thereto, approved April twenty-fifth, eighteen hundred and sixty-three, do hereby certify that the above and foregoing is a true, full, and correct statement of the votes polled by the California Volunteers in the service of the United States whose votes are entitled to be counted and canvassed in the County of Tuolumne, and that said votes are by said Act required to be counted and canvassed by the persons whose duty it is to canvass the votes given for county or district officers in the said County of Tuolumne.



Witness my hand and the great seal of State, at office in Sacramento, California, the ninth day of October, A. D. eighteen hundred and sixty-three.

(Signed :)

A. A. H. TUTTLE,
Secretary of State.

(Indorsed :) Filed October 31st, 1863.

R. E. GARDINER, Clerk.

—

(This document is indorsed :)

"Exhibit D, referred to in deposition of R. E. Gardiner; filed November 27th, 1863. JAS. LETFORD, C. L. STREET, Commissioners."

—

STATE OF CALIFORNIA,
County of Tuolumne. }

Before C. L. Street and James Letford, Justices of the Peace of said county, and Commissioners duly appointed.
In the matter of the contested election between C. H. Randall, Contestant, against J. W. Haskin, Respondent.

DEPOSITION OF ROBERT E. GARDINER,

A witness produced, sworn, and examined in this matter, on the part of C. H. Randall, Contestant, before the foregoing named Justices of the Peace of Tuolumne County aforesaid, in pursuance of a Commission issued by the Clerk of said county, and directed to the aforesaid Justices, which Commission is attached to the depositions taken in this matter.

Question.—Where do you reside?

Answer.—Sonora, Tuolumne County.

Q.—What is your occupation?

A.—Clerk of Tuolumne County, and Clerk of the Board of Supervisors of said county for the past two years.

Q.—Look at the paper now presented to you, and state what that paper is, marked as "Exhibit A."

A.—It contains a statement of the votes polled at a general election held in the County of Tuolumne, State of California, on Wednesday, the second day of September, eighteen hundred and sixty-three, for Senators of the Twelfth Senatorial District, composed of the County of Tuolumne, containing the name of each voting precinct in said county, and each candidate voted for for that office, as appears of record now in my office, showing the number of votes received by each candidate at each precinct, and the total number of votes each candidate received in the county, as canvassed by the Board of Supervisors.

Q.—How many votes did C. H. Randall receive at the last general election for Senator, to represent the Twelfth Senatorial District, as appears by that statement?

A.—One thousand eight hundred and fifteen.

Q.—How many votes did G. W. Haskin receive at the last general election for Senator to represent the Twelfth Senatorial District, as appears by that statement?

A.—One thousand eight hundred and six.

Q.—From what did you make up the statement referred to?

A.—From the record of the Board of Supervisors. I will furthermore state that I have compared it with said record, and know it to be correct.

Q.—Why does the Phoenix Reservoir Precinct remain blank on this statement—exhibit A?

A.—Because the Board of Supervisors refused to count it.

Q.—Look at the paper now before you, marked "Exhibit B," and state what it is?

A.—It is a true and correct copy of returns, so far as the same relates to the election of Senators for the Twelfth Senatorial District, received by me as County Clerk from said precinct, previous to the canvassing of the vote of the county by the Board of Supervisors. Also, a copy of an order of the Board of Supervisors in relation to canvassing the vote of said Phoenix Reservoir Precinct.

Q.—How many votes did C. H. Randall receive for Senator of the Twelfth Senatorial District, at said precinct, as appears by that return?

A.—Thirty-seven.

Q.—How many votes did J. W. Haskin receive for Senator of the Twelfth Senatorial District at said precinct, as appears by that return?

A.—Two.

Q.—Why does the Siever's Ranch Precinct remain blank on statement marked "Exhibit A?"

A.—Because the Board of Supervisors refused to count it.

Q.—Did you, as Clerk, receive what purported to be election returns of the last September election from Siever's Ranch Precinct previous to the canvassing of the vote of the county by the Board of Supervisors?

A.—I did.

Q.—Of what did those returns consist?

A.—There was the usual election returns, complete, except the ballots.

Q.—Look at the paper marked "Exhibit C," and state what it is?

A.—It is a copy of the tally list of an election held at Siever's Ranch Precinct, Wednesday, September second, eighteen hundred and sixty-

three, together with all the names of the various candidates for the office of State Senator of the Twelfth Senatorial District, voted for at said precinct at said election, and the number of votes that each of said candidates received at said precinct, together with the order of the Board of Supervisors of said county rejecting said precinct.

Q.—How many votes did C. H. Randall receive for Senator of the Twelfth Senatorial District at said Siever's Ranch Precinct, as appears by paper marked "Exhibit C?"

A.—Twenty-five.

Q.—How many votes did J. W. Haskin receive for Senator of the Twelfth Senatorial District, at said Siever's Ranch Precinct, as appears by paper marked "Exhibit C?"

A.—Eighteen.

Q.—Were there votes canvassed by the Board of Supervisors for the office of Senator of the Twelfth Senatorial District, other than those in exhibit marked "A?"

A.—There was.

Q.—What other votes than those contained in "Exhibit A," were canvassed and allowed by the Board of Supervisors for the office of Senator for District Number Twelve, at the last general election?

A.—They were votes purporting to have been cast by the Volunteers in the service of the United States, at various military posts within and beyond the limits of the State of California, as appears by exhibit marked "D," which exhibit is a correct copy of the statement of votes returned to my office by the Secretary of State, so far as the same relates to the election of Senators for the Twelfth Senatorial District.

Q.—How many votes did C. H. Randall receive for Senator of the Twelfth Senatorial District, as appears by exhibit marked "D?"

A.—None.

Q.—How many votes did J. W. Haskin receive for Senator of the Twelfth Senatorial District, as appears by exhibit marked "D?"

A.—Two hundred and fourteen.

Q.—Were there any other or further returns, such as check list, tally list, or ballots, sent by the Secretary of State to your office relating to the election of Senator from the Twelfth Senatorial District other than those contained in Exhibit D?

A.—I have received from the Secretary of State no check list, tally list, or ballots, or returns, other than the statement contained in Exhibit D, relating to the election of Senator for the Twelfth Senatorial District.

R. E. GARDINER.

STATE OF CALIFORNIA, }
County of Tuolumne. }

We, the undersigned, Justices of the Peace of Tuolumne County, duly appointed Commissioners in the matter of the contested election, wherein C. H. Randall is Contestant, and J. W. Haskin Respondent, do hereby certify that the above is a true and correct statement of the testimony, as given by R. E. Gardiner on the twenty-seventh day of November, A. D. eighteen hundred and sixty-three, at the City of Sonora, county aforesaid, who, after hearing the same read to him, made all corrections required, and signed the same in our presence.

JAS. LETFORD,
C. L. STREET,
Commissioners.

STATE OF CALIFORNIA, }
County of Tuolumne. }

We the undersigned, Justices of the Peace for Tuolumne County, duly appointed Commissioners in the matter of the contested election wherein C. H. Randall is Contestant and J. W. Haskin Respondent, do hereby certify that the hearing of said case was continued from day to day, from November twenty-seventh, eighteen hundred and sixty-three, to December seventh, eighteen hundred and sixty-three, in consequence of absence from the county of witnesses for the Contestant.

JAMES LETFORD,
C. L. STREET,
Commissioners.

DEPOSITION OF E. L. H. GARDINER,

A witness produced, sworn, and examined in this matter on the part of C. H. Randall, Contestant, before the foregoing named Justices of the Peace of Tuolumne County, aforesaid, in pursuance of a Commission issued by the Clerk of said county and directed to the aforesaid Justices, which Commission is attached to the depositions taken in this matter:

Question.—Where do you reside? What is your age and occupation?

Answer.—I reside at present in Sonora, Tuolumne County; am aged forty-one years; my occupation is that of a miner.

Q.—Where was your residence before coming to Sonora?

A.—Aurora, Nevada Territory; resided there from the thirteenth of April until the twenty-sixth of September, eighteen hundred and sixty-three.

Q.—State whether you are acquainted with J. W. Haskin, the Respondent, and, if so, for how long a period?

A.—I have known him since eighteen hundred and fifty.

Q.—State if you know the place of residence of said Haskin for the last year?

A.—In the winter of eighteen hundred and sixty-two I knew him in San Francisco up to some time in February, eighteen hundred and sixty-three. I afterwards knew him to live at Aurora from the thirteenth day of April up to some time in September, eighteen hundred and sixty-three.

Q.—State if Mr. Haskin has a family, and, if so, where were they residing during the last year?

A.—He has a family, and I was told by Mr. Haskin that they resided in San Francisco.

Q.—State if you have had any conversation with Mr. Haskin regarding his residence while you were at Aurora, and, if so, what statement did he make in regard to it?

A.—Sometime during the last summer, in conversation with Mr. Haskin, he told me that when he completed the contract on the Falls of Clyde Tunnel that he intended to leave Aurora, and resume the position which he formerly occupied in the Marysville Railroad Company; that he did not design to bring his family to Aurora, as it was not a suitable place for them; that his family were in San Francisco, where the children

could have the advantages of Schools, and that he intended they should remain there.

Q.—Has his family ever resided in Aurora?

A.—Never, to my knowledge.

Q.—What was Mr. Haskin's business at Aurora?

A.—Superintendent of the Falls of Clyde Mining Company, an incorporated company doing business at San Francisco, and speculating in feet generally.

Q.—Has he left Aurora?

A.—He did leave sometime in September. I have seen him since at his office in San Francisco.

Q.—How do you know it to be his office?

A.—Suppose it is his office, as he has a sign up and is doing business there.

Q.—Have you ever known Mr. Haskin to reside in Tuolumne County.

A.—I have never known him to reside in Tuolumne County; he has not resided here for the last two years.

E. L. H. GARDINER.

STATE OF CALIFORNIA, }
County of Tuolumne. }

We, the undersigned, Justices of the Peace of Tuolumne County, duly appointed Commissioners in the matter of the contested election wherein C. H. Randall is Contestant and J. W. Haskin Respondent, do hereby certify that the foregoing is a true and correct statement of the testimony as given by E. L. H. Gardiner, on the seventh day of December, A. D. eighteen hundred and sixty-three, at the City of Sonora, county aforesaid, who, after hearing the same read to him, made all corrections required, and signed the same in our presence.

JAS. LETFORD,
C. L. STREET,
Commissioners.

ELECTION PROCLAMATION.

STATE OF CALIFORNIA, }
Executive Department. }

Notice is hereby given that a general election will be held on Wednesday, the second day of September next, throughout the State, at which the following officers are to be elected, and an Act to provide bonds for completing the Deaf, Dumb, and Blind Asylum, approved April twenty-seventh, eighteen hundred and sixty-three, is to be submitted to the qualified electors of the State for ratification:

Three Members of Congress.

A Governor.

A Lieutenant-Governor.

A Secretary of State.

A State Controller.

A State Treasurer.

An Attorney-General
 A Surveyor-General.
 A Clerk of the Supreme Court.
 A State Printer.
 A State Harbor Commissioner.

Also, State Senators, as follows :

Districts and Counties.	No. Senators.
1st District, composed of the Counties of San Diego and San Bernardino.....	1
2d District, composed of the County of Los Angeles.....	1
3d District, composed of the Counties of Santa Barbara and San Luis Obispo.....	1
4th District, composed of the Counties of Tulare and Fresno..	1
5th District, composed of the Counties of Mariposa, Merced, and Stanislaus.....	1
6th District, composed of the Counties of Santa Cruz and Monterey.....	1
7th District, composed of the County of Santa Clara.....	1
8th District, composed of the Counties of San Francisco and San Mateo.....	1
And for the County of San Francisco.....	4
9th District, composed of the County of Alameda.....	1
10th District, composed of the Counties of Contra Costa and Marin.....	1
11th District, composed of the County of San Joaquin.....	1
12th District, composed of the County of Tuolumne.....	2
13th District, composed of the County of Calaveras.....	2
14th District, composed of the County of Amador.....	1
15th District, composed of the County of El Dorado	2
16th District, composed of the County of Sacramento.....	2
17th District, composed of the Counties of Solano and Yolo...	1
18th District, composed of the Counties of Napa, Lake, and Mendocino	1
19th District, composed of the County of Sonoma.....	1
20th District, composed of the County of Placer	2
21st District, composed of the County of Nevada.....	2
22d District, composed of the County of Sierra.....	1
23d District, composed of the Counties of Yuba and Sutter...	1
And for the County of Yuba	1
24th District, composed of the Counties of Butte and Plumas	1
And for the County of Butte.....	1
25th District, composed of the Counties of Tehama and Colusa	1
26th District, composed of the Counties of Shasta and Trinity	1
27th District, composed of the Counties of Humboldt, Klamath, and Del Norte.....	1
28th District, composed of the County of Siskiyou.....	1

Also, Members of Assembly, as follows :

Counties.	No. Members.
San Diego County	1
San Bernardino County.....	1
Los Angeles County.....	2
Santa Barbara and San Luis Obispo Counties.....	1
Tulare County.....	1
Fresno County.....	1
Mariposa County.....	1
Merced and Stanislaus Counties.....	1
Santa Cruz County.....	1
Monterey County	1
Santa Clara County.....	3
San Francisco County.....	12
San Mateo County.....	1
Alameda County.....	2
Contra Costa County.....	1
Marin County.....	1
San Joaquin County.....	2
Tuolumne and Mono Counties.....	3
Calaveras County	3
Amador County.....	2
El Dorado County.....	4
Sacramento County ...	5
Solano County.....	1
Yolo County.....	1
Napa and Lake Counties.....	1
Mendocino County.....	1
Sonoma County.....	3
Placer County.....	3
Nevada County.....	4
Sierra County.....	2
Yuba County.....	3
Sutter County.....	1
Butte County.....	2
Plumas County	1
Tehama and Colusa Counties.....	1
Shasta County.....	1
Trinity County.....	1
Humboldt County.....	1
Klamath and Del Norte Counties.....	1
Siskiyou County	2

An Act to provide bonds for completing the Deaf, Dumb, and Blind Asylum, approved April twenty-seventh, eighteen hundred and sixty-three, will be submitted to the qualified electors of the State for ratification, in accordance with section twelfth of said Act, at the said general election to be held on Wednesday, the second day of September next; those voting for the same shall have written or printed on their ballots for State officers the words, "For Asylum Building Act," and those voting against the same shall have written or printed on their ballots the words, "Against Asylum Building Act."

The attention of the Boards of County Supervisors is directed to the second section of an Act entitled an Act to amend an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty, passed April twenty-seventh, eighteen hundred and fifty-five. (See Statutes of eighteen hundred and fifty-five, page one hundred and sixty.)



In witness whereof, I have hereunto set my hand and caused the great seal of State to be affixed. Done at Sacramento, California, this twenty-seventh day of July, in the year of our Lord one thousand eight hundred and sixty-three.

LELAND STANFORD,
Governor of California.

By the Governor:

WILLIAM H. WEEKS, Secretary of State.

—

STATE OF CALIFORNIA, } ss.
Tuolumne County. }

I, R. E. Gardiner, County Clerk in for said county and State aforesaid, and ex-officio Clerk of the Board of Supervisors of said county, do hereby certify that the above is the original proclamation calling the general election for the second day of September, eighteen hundred and sixty-three, received by me from W. H. Weeks, Secretary of State, which said proclamation the said Board of Supervisors of said county caused to be published in a newspaper in said county, and included in the proclamation that was posted at the different precincts of said county by order of the Supervisors aforesaid.



Witness my hand and the seal of the County Court of said county, affixed at Sonora, this fifteenth day of February, A. D. eighteen hundred and sixty-four.

R. E. GARDINER, Clerk.

[STAMP.]

(This document is indorsed:)

"Proclamation. Filed Feb. 25th. W. H. LEWIS, Sec. of Committee."

—

[Copy.]

AN ACT

To further define the Senatorial and Assembly Districts of this State, and to apportion the representation thereof.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Counties of Calaveras and Mono shall be the Thirteenth Senatorial District, and shall elect two Senators. The County

of Calaveras shall elect two, and the County of Mono one member of Assembly.

SEC. 2. This Act shall take effect from and after its passage.

(*This document is indorsed :*)

"Senate bill No. 414, an Act to further define the Senatorial and Assembly Districts of this State, and to apportion the representation thereof.

"May 17th, 1861. Read first and second times, rules suspended, bill considered engrossed, read a third time, and passed. WILLIAMSON, Asst. Sect.

"In Assembly, May 17th, 1861. Read first and second times, and made special order for May 18th, at 11 A. M. SCOBEE, Assistant.

"May 18th, 1861. Read third time, and passed. SCOBEE, Asst. Clk.

"Enrolled May 18th, 1861. MIGHELS, Asst. Enrolling Clk., Senate."

CERTIFICATE OF ELECTION OF J. W. HASKIN.

STATE OF CALIFORNIA, }
Tuolumne County. } ss.

This is to certify that at an election held in and for the Twelfth Senatorial District, composed of the County of Tuolumne, on the second day of September, A. D. eighteen hundred and sixty-three, J. W. Haskin having received the highest number of the votes cast for Senator of said district, I therefore do certify that said J. W. Haskin was duly elected Senator in and for said Senatorial District.



In testimony whereof I have hereunto set my hand and affixed the seal of the County Court of said county, at Sonora, this third day of November, A. D. eighteen hundred and sixty-three.

[STAMP.]

R. E. GARDINER,
County Clerk.

(*This document is indorsed :*)

"Certificate of election of J. W. Haskin, State Senator."



R E P O R T

OF THE

Disbursing Officers of the Second Brigade,
CALIFORNIA STATE MILITIA.

PRESENTED APRIL 1, 1864.

O. M. CLAYES.....STATE PRINTER.

COMMUNICATION.

SAN FRANCISCO,
March 30th, 1864. }

Hon. JOSEPH WOOD,
Chairman Military Committee of Assembly :

SIR :—I have the honor to transmit herewith the report of the Board of Disbursing Officers for the Second Brigade, California Militia, with account current and vouchers.

I remain your most obedient servant,

JOHN S. ELLIS,
Ex-Brigadier-General, Second Brigade,
And Secretary of Board of Disbursing Officers thereof.

THE STATE OF CALIFORNIA,

IN ACCOUNT CURRENT WITH THE

Disbursing Officers of the Second Brigade, C. M.,

IN COMPLIANCE WITH SECTION SEVEN OF THE ACT ENTITLED AN ACT TO
APPROPRIATE FUNDS FOR THE DEFENCE OF THE STATE, APPROVED
APRIL TWENTY-FIFTH, EIGHTEEN HUNDRED AND SIXTY-THREE.

RECEIVED FROM THE STATE, FOR ACCOUNT OF SECOND BRIGADE.

1863.			
August.....	24	By Controller's warrant for the following organizations:	
		First Regiment of Infantry.....	\$10,000 00
		Second (Irish) Regiment of Infantry	10,000 00
		First Regiment of Artillery.....	10,000 00
		First California Guard, (Light Battery).....	3,000 00
		San Francisco Hussars.....	2,000 00
		Jackson Dragoons.....	2,000 00
		First Light Dragoons.....	2,000 00
			<hr/>
			\$39,000 00
Dec.....	24	By Controller's warrant for the Suisun Cavalry..	2,000 00
	24	By Controller's warrant for the Redwood Cavalry	2,000 00
	24	By Controller's warrant for the Ellis Guard.....	1,100 00
	24	By Controller's warrant for the Columbian Guard	1,140 00
	24	By Controller's warrant for the Washington Guards	940 00
	24	By Controller's warrant for the Russian River Rifles	1,120 00
	24	By Controller's warrant for the Bloomfield Guards	660 00

Dec.....24	By Controller's warrant for the Petaluma Guards	\$680 00
24	By Controller's warrant for the Vallejo Rifles....	1,360 00
24	By Controller's warrant for the Napa Guard.....	1,340 00
24	By Controller's warrant for the San José Union Guard	1,120 00
24	By Controller's warrant for the Watsonville Guards	1,260 00
24	By Controller's warrant for the Butler Guards...	1,300 00
Total.....		\$55,020 00

FIRST REGIMENT OF INFANTRY.

1863.		
Oct.....22	To 163 uniforms, (Voucher No. 1).....	\$4,075 00
Nov.....15	To 89 uniforms, (Voucher No. 2).....	2,225 00
19	To 120 uniforms, (Voucher No. 3).....	3,000 00
Dec.....5	To 31 dozen caps, etc., (Voucher No. 4).....	700 00
1864.		
Feb.....24	To 29 uniforms, (Voucher No. 5).....	725 00
24	To 57 uniforms, (Voucher No. 6).....	1,425 00
March.....1	To 4 dozen caps, (Voucher No. 7).....	90 00
		\$12,240 00

N. B.—The warrants for the Ellis Guard, (one thousand one hundred dollars,) and Columbian Guard, (one thousand one hundred and forty dollars,) were duly assigned to the First Regiment of Infantry.

SECOND (IRISH) REGIMENT OF INFANTRY.

1863.		
Aug.....27	To 400 coats, (Voucher No. 8).....	\$3,800 00
Sept.....18	To 400 coats, blue flannel, (Voucher No. 9).....	1,500 00
25	To 800 feathers, 250 eagles, 160 cords, 6 dozen bugles, 40 overcoats, (Voucher No. 10).....	752 00
25	To cloth lining, cutting, (Voucher No. 11)	92 50
Oct.....3	To 400 green cloth caps, (Voucher No. 12).....	760 00
3	To 7 yards white cloth, 13½ yards green, (Voucher No. 13).....	127 82
3	To altering 400 blouses. (Voucher No. 14).....	70 00
20	To repairing and altering 200 knapsacks, and 60 new ones, (Voucher No. 15)....	461 75
20	To 315 yards fringe, (Voucher No. 16).....	315 00

Oct.....20	To 100 black hats, (Voucher No. 17)	\$400 00
22	To green cord, fringe, etc., (Voucher No. 18).....	115 55
Nov.....14	To furnishing cloth, and making cuffs and collars, new cording, and putting on buttons on 370 coats, (Voucher No. 19).....	508 75
14	To blocking and trimming 244 hats, (Voucher No. 20).....	244 00
14	To 60 hat cords, 420 feathers, 50 hats, (Voucher No. 21).....	361 80
14	To making up 800 epaulettes, etc., (Voucher No. 22).....	490 50
	Balance on hand.....	33
		<hr/> \$10,000 00

FIRST REGIMENT OF ARTILLERY.

1863.		
Oct.....22	To 276 caps, (Voucher No. 23)	\$621 00
24	To 241 blouses, (Voucher No 24).....	1,108 60
Dec.....23	To 320 uniforms, (Voucher No. 25).....	8,000 00
1864.		
Feb.....27	To 2½ dozen caps, etc., and 2 officers' caps, (Voucher No. 26).....	72 00
23	To 31 flannel sacks, (Voucher No. 27).....	155 00
March.....1	To 20 caps, (Voucher No. 28).....	43 40
		<hr/> \$10,000 00

FIRST CALIFORNIA GUARD, LIGHT BATTERY.

1863.		
Oct.....24	To 63 uniforms, 75 blouses, 50 pairs gray blan- kets, extra mountings, changing cuffs and col- lars and stripes, etc., (Voucher No. 29).....	\$2,328 75
	To balance on hand.....	671 25
		<hr/> \$3,000 00

SAN FRANCISCO HUSSARS.

1863.		
Dec.....	2 To 30 sets of horse equipments, (Voucher No. 30)	\$960 00
	2 To 42 uniforms (Voucher No. 31).....	1,040 00
		<hr/> \$2,000 00

JACKSON DRAGOONS.

1863.		
Oct.....	16 To 28 sets of equipments, 4 sets of equipments, 4 holsters, 30 belts, 30 blankets, 2½ dozen halters, 2 dozen leather-back brushes, 2 currycombs, 30 pair blanket straps, (Voucher No. 32)	\$1,466 00
Nov.....	30 To 47 blouses, 48 pair pants, 1 cavalry trumpet and cord, 55 cross sabres, 55 brass letters, 50 forage caps, (Voucher No. 33).....	533 41
	To balance on hand.....	59
		<hr/> \$2,000 00

FIRST LIGHT DRAGOONS.

1863.		
Aug.....	31 To 40 saddles, bridles, bits, and neck collars, (Voucher No. 34).....	\$1,340 00
1864.		
Jan.....	11 To 10 saddles, (Voucher No. 35).....	300 00
	11 To 50 pairs pants, (Voucher No. 36).....	300 00
	11 To 20 pairs blue blankets, (Voucher No. 37)	60 00
		<hr/> \$2,000 00

SUISUN CAVALRY.

1864.		
Jan.....14	To 22 blouses, 1 guidon, 1 trumpet and cord, (Voucher No. 38).....	\$124 75
14	To 50 hats and 6 uniforms, (Voucher No. 39).....	343 75
14	To 1 10-12 dozen fatigue caps and crossed sabres, (Voucher No. 40).....	30 25
14	To 45 saddles, etc., (Voucher No. 41).....	1,507 50
		<hr/>
	Paid by company.	\$2,006 25
		6 25
		<hr/>
		\$2,000 00

REDWOOD CAVALRY.

1864.		
March...24	To 35 sets horse equipments, packing, and trans- porting, and 35 uniforms, (Voucher No. 42).....	\$2,000 00
		<hr/>
		\$2,000 00

VALLEJO RIFLES.

1864.		
Jan.. .....3	To 54 uniforms, (Voucher No. 43).....	\$1,360 00
		<hr/>
		\$1,360 00

NAPA GUARD.

1864.		
March...10	To 51 uniforms and 50 caps—less \$28 75 paid by company, (Voucher No. 44)	\$1,340 00
		<hr/>
		\$1,340 00

SAN JOSÉ UNION GUARD.

1864.		
March... 18	To 56 pants, 56 coats, 56 hats, (Voucher No. 45).	\$1,120 00
		\$1,120 00

WASHINGTON GUARDS, OF SANTA ROSA.

Warrant on hand... ..	\$940 00
	\$940 00

RUSSIAN RIVER RIFLES, OF HEALDSBURG.

Warrant on hand.....	\$1,120 00
	\$1,120 00

BLOOMFIELD GUARDS, OF BLOOMFIELD.

Warrant on hand.....	\$660 00
	\$660 00

PETALUMA GUARDS, OF PETALUMA.

Warrant on hand.....	\$680 00
	\$680 00

BUTLER GUARDS, OF SANTA CRUZ.

Warrant on hand.....	\$1,300 00
	<hr/> \$1,300 00

WATSONVILLE GUARDS.

Warrant on hand.....	\$1,260 00
	<hr/> \$1,260 00

ELLIS GUARD.

Warrant assigned to First Regiment of Infantry.

COLUMBIAN GUARD.

Warrant assigned to First Regiment of Infantry.

SANTA CRUZ CAVALRY.

No warrant received for this company. They are as much entitled to their appropriation as any company in the brigade.

HUGH O'NEIL GUARD, OF SAN FRANCISCO.

No warrant received for this company. They are as much entitled to their appropriation as any company in the brigade.

McCLELLAN GUARD, OF VALLEJO.

No warrant received for this company. They are as much entitled to their appropriation as any company in the brigade.

RECAPITULATION.

Disbursed, as per foregoing accounts.....		\$48,387 83
Cash and warrants on hand at this date, viz :		
*Cash balance in favor of Second (Irish)		
Regiment	\$ 33	
Cash balance in favor of Jackson Dragoons	59	
Cash balance in favor of First California		
Guard, (Light Battery).....	671 25	
Warrant in favor of Washington Guards..	940 00	
Warrant in favor of Russian River Rifles..	1,120 00	
Warrant in favor of Bloomfield Guards.....	660 00	
Warrant in favor of Petaluma Guards.....	680 00	
Warrant in favor of Watsonville Guards...	1,260 00	
Warrant in favor of Butler Guards.....	1,300 00	
		6,632 17
		\$55,020 00

The condition of the property, being new, is excellent.

The foregoing report is respectfully submitted, this thirtieth day of March, A. D. eighteen hundred and sixty-four.

JOHN S. ELLIS,
Ex-Brigadier-General, Second Brigade, C. M.,
And Secretary of Board of Disbursing Officers thereof.

* The cash balances and remaining warrants are in the custody of Major-General Allen.

V O U C H E R S.

VOUCHERS.

(Voucher No. 1.)

[Duplicate.]

SAN FRANCISCO, October 22d, 1863.

FIRST REGIMENT INFANTRY, C. S. M.,

Bought of AGENCY MISSION WOOLLEN MILLS,

163 military uniforms, at \$25.....	\$4,075 00
-------------------------------------	------------

Received payment,

LAZARD FRERES, Agents.
(By ELLIS.)

The above bill is correct, and the goods received.

JOSEPH WOOD,
Colonel Commanding First Regiment Infantry, C. S. M.

(Voucher No. 2.)

[Duplicate.]

SAN FRANCISCO, November 5th, 1863.

FIRST REGIMENT INFANTRY, C. S. M.,

Bought of AGENCY MISSION WOOLLEN MILLS,

89 military uniforms, at \$25.....	\$2,225 00
------------------------------------	------------

Received payment,

LAZARD FRERES, Agents.

Correct, and received.

JOSEPH WOOD,
Colonel Commanding First Regiment, C. S. M.

(Voucher No. 3.)

SAN FRANCISCO, November 19th, 1863.

FIRST REGIMENT INFANTRY, C. S. M.,

Bought of AGENCY MISSION WOOLLEN MILLS,

120 military uniforms, at \$25.....	\$3,000 00
-------------------------------------	------------

Received payment,

LAZARD FRERES.
(By ELLIS.)

Received, and approved.

JOSEPH WOOD,
Colonel Commanding First Regiment, C. S. M.

(Voucher No. 4.)

SAN FRANCISCO, December 3d, 1863.

Colonel Wood, First Regiment, C. S. M.,

Bought of MEAD & VAN TASSEL,

November 25..	31 dozen regimental caps, at \$22 50.....	\$697 50
November 25..	Extra ornaments for Drum Corps.....	2 50
.		<hr/> \$700 00

Approved, and property received.

JOSEPH WOOD,
Colonel Commanding First Regiment, C. S. M.

(Voucher No. 5.)

[Duplicate.]

SAN FRANCISCO, December 7th, 1863.

FIRST REGIMENT OF INFANTRY,

Bought of AGENCY MISSION WOOLLEN MILLS,

29 military uniforms, at \$25	\$725 00
-------------------------------------	----------

Received payment,

LAZARD FRERES, Agents.
(By ELLIS.)

Correct, and received.

JOSEPH WOOD,
Colonel Commanding First Regiment, C. M.

(*Voucher No. 6.*)

[Duplicate.]

SAN FRANCISCO, December 2d, 1863.

FIRST REGIMENT OF INFANTRY,

Bought of AGENCY MISSION WOOLLEN MILLS,

57 military uniforms, at \$25.....	\$1,425 00
------------------------------------	------------

Received payment,

LAZARD FRERES, Agents.
(By ELLIS.)

Correct, and received.

JOSEPH WOOD,
Colonel Commanding First Regiment, C. M.(*Voucher No. 7.*)

SAN FRANCISCO, February 29th, 1864.

Colonel WOOD, First Regiment Infantry, C. S. M.,

Bought of MEAD & VAN TASSELL,

4 dozen regimental caps complete, at \$22 50.....	\$90 00
---	---------

Received payment, March 1st, 1864,

MEAD & VAN TASSELL.

Approved, and received.

J. WOOD,
Colonel Commanding First Infantry, C. M.

(Voucher No. 8.)

SAN FRANCISCO, August 27th, 1863.

The SECOND REGIMENT, C. S. M., (T. N. Cazneau, Colonel Commanding,)

Bought of HENRY HUGHES,

July 30.....	400 infantry uniform coats, at \$9 50.....	\$3,800 00
--------------	--	------------

Received payment for the above military coats, August 28th, 1863,

For H. HUGHES.

(By J. MATHEW.)

Received the above described military property.

THOMAS N. CAZNEAU,
Colonel Commanding Second Regiment, C. S. M.

SAN FRANCISCO, August 27th, 1863.

(Voucher No. 9.)

SAN FRANCISCO, September 18th, 1863.

Mr. CAZNEAU, for the Second Regiment, C. S. M.,

Bought of SCHOLLE & BROTHERS,

400 blue flannel coats, at \$3 75.....	\$1,500 00
--	------------

Received payment,

SCHOLLE & BROTHERS.

Approved.—Received the above military property.

THOMAS N. CAZNEAU,
Colonel Second Regiment, C. S. M.

(Voucher No. 10.)

September 24th, 1863.

THOMAS N. CAZNAU, for Second Regiment,

Bought of J. M. & J. N. PLUMB,

800 feathers for uniform hats, at 45 cents.....	\$36 00
250 chased eagles, at \$1 80 per dozen.....	37 20
100 green hat cords, at 38 cents.....	38 00
6 dozen metal bugles, at \$1 80.....	10 80
40 cavalry overcoats, at \$15 75.....	630 00
	<hr/>
	\$752 00

Received payment,

J. M. & J. N. PLUMB.
(By A. L. NORTON.)*Approved.*—Received the above military property.THOMAS N. CAZNEAU,
Colonel Second Regiment, C. S. M.

(Voucher No. 11.)

SAN FRANCISCO, September 22d, 1863.

Colonel THOMAS N. CAZNEAU,

Bought of G. ROSENBERG,

14 1-6 yards green billiard cloth, at \$6 00.....	\$85 00
6 yards lining, at 25 cents.....	1 50
For cutting bands and straps.....	6 00
	<hr/>
	\$92 50

Received payment,

G. ROSENBERG.

Approved.—Received the above military property.THOMAS N. CAZNEAU,
Colonel Second Regiment, C. S. M.

(Voucher No. 12.)

SAN FRANCISCO, October 3d, 1863.

THOMAS N. CAZNEAU, for Second Regiment, C. S. M.,

Bought of G. ROSENBERG,

400 green cloth caps, at \$1 90.....	\$760 00
--------------------------------------	----------

Received payment,

G. ROSENBERG.

Approved.—Received the above military property for Second Regiment California State Militia.

THOMAS N. CAZNEAU, Colonel.

(Voucher No. 13.)

SAN FRANCISCO, September 30th, 1863.

THOMAS N. CAZNEAU, for Second (Irish) Regiment, C. S. M.,

To N. SWEENEY, Dr.,

To 7 yards white cloth, at \$5 00.....	\$35 00
To 13 $\frac{3}{4}$ yards green cloth, at \$6 75.....	92 82
	<hr/> \$127 82

Received payment,

NICHOLAS SWEENEY.

Approved.—Received the above military property for Second Regiment California State Militia.

THOMAS N. CAZNEAU, Colonel.

(Voucher No. 14.)

[Duplicate.]

SAN FRANCISCO, October 3d, 1863.

SECOND REGIMENT, C. S. M.,

To ANN SUPPLER, Dr.,

To alterations on 400 blouses	\$70 00
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Received payment,

ANN SUPPLER.

Approved.—The above work executed for the Second Regiment, C. S. M.

THOS. N. CAZNEAU, Colonel.

(Voucher No. 15.)

SAN FRANCISCO, October 17th, 1863.

THOS. N. CAZNEAU, for Second Regiment,

Bought of JOHN WILSON & SON,

October 5..	Repairing and altering 200 knapsacks, and furnishing 60 new ones.....	\$461 75
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Received payment,

J. WILSON & SON.

Approved.—Received the above articles and labor performed for Second Regiment, C. S. M.THOS. N. CAZNEAU,
Colonel Commanding.

(Voucher No. 16.)

SAN FRANCISCO, October 20th, 1863.

Mr. THOS. N. CAZNEAU,

Bought of ZIEGENHIRT Bros.,

315 yards scarlet worsted fringe, at \$1	\$315 00
--	----------

Received payment,

ZIEGENHIRT BROTHERS.

Approved.—Received the above articles for Second Regiment, C. S. M.THOS. N. CAZNEAU,
Colonel Commanding.

(Voucher No. 17.)

October 19th, 1863.

Col. THOS. N. CAZNEAU, for the Second Regiment,

To J. M. MARTIN, Dr.,

100 black hats, at \$4	\$400 00
------------------------------	----------

Received payment,

J. M. MARTIN.

Approved.—Received the above military property for Second Regiment, C. S. M.THOS. N. CAZNEAU,
Colonel Commanding.

(Voucher No. 18.)

[Duplicate.]

SAN FRANCISCO, October 20th, 1863.

Mr. T. CAZNEAU,

Bought of SOLOMON & HART,

16 pieces green cord, at \$1 12½.....	\$18 00
8 pieces scarlet cord, at \$1 80.....	14 40
12 yards reys, at \$2 50	30 00
2 pieces four-inch fringe, 78½ yards, at 30 cents.....	23 55
13 balls cord, at 50 cents.	\$6 50
1 piece cord	90
	<hr/>
	\$7 40
Credit by cord returned.....	1 32
	<hr/>
	6 08
2 pieces three-inch fringe, 84 yards, at 28 cents.....	23 52
	<hr/>
	\$115 55

Received payment,

SOLOMON & HART.
(By J. H. R.)*Approved.*—Received the above articles for the Second Regiment,
C. S. M.THOS. N. CAZNEAU,
Colonel Commanding.

(Voucher No. 19.)

SAN FRANCISCO, November 11th, 1863.

Col. CAZNEAU, for the Second (Irish) Regiment,

To N. SWEENEY, Dr.,

Fitting, furnishing cloth, and making cuffs and collars, new cording, and putting on buttons on 370 coats, at \$1 37½	\$508 75
---	----------

Received payment,

N. SWEENEY.

Approved.—The above work and material furnished for the Second
Regiment, C. S. M.

THOS. N. CAZNEAU, Colonel.

(Voucher No. 20.)

SAN FRANCISCO, November 10th, 1863.

THE SECOND REGIMENT, Colonel Cazneau,

To CHARLES BAYSEN, Dr.,

To blocking and trimming 244 hats, at \$1 each.....	\$244 00
---	----------

Payment received,

CHARLES BAYSEN.

Approved.—The above work performed for the Second Regiment,
C. S. M.

THOS. N. CAZNEAU, Colonel.

(Voucher No. 21.)

SAN FRANCISCO, November 11th, 1863.

Mr. THOS. N. CAZNEAU,

To J. M. & J. N. PLUMB, Dr.,

60 hat cords, at 38 cents	\$22 80
420 hat feathers, at 45 cents.....	189 00
50 hats, at \$3.....	150 00
	<hr/> \$361 80

Received payment,

J. M. & J. N. PLUMB,
(Per A. S. NORTON.)

Approved.—The above material furnished the Second Regiment, C. S. M.

THOS. N. CAZNEAU, Colonel.

(*Voucher No. 22.*)

[Duplicate.]

SAN FRANCISCO, November 10th, 1863.

Col. CAZNEAU, Second (Irish) Regiment,

To Mrs. PHELPS, Dr.,

To making up 800 worsted epaulettes, furnishing frames, lining, and padding.....	\$490 50
---	----------

Received payment,

FRANCES A. PHELPS.

Approved.—The above work and material furnished for the Second
Regiment California State Militia.

THOMAS N. CAZNEAU, Colonel.

(*Voucher No. 23.*)

[Duplicate.]

SAN FRANCISCO, October 19th, 1863.

Colonel McKENZIE, First Regiment Artillery, C. M.,

Bought of MEAD & VAN TASSELL,

October...6	276 regimental caps, \$2 25 each.....	\$621 00
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Received payment, October 22d,

MEAD & VAN TASSELL.

The above mentioned caps have been received.

JOHN W. McKENZIE,
Colonel First Artillery, C. M.

(Voucher No. 24.)

[Duplicate.]

SAN FRANCISCO, October 23d, 1863.

FIRST REGIMENT ARTILLERY,

Bought of AGENCY MISSION WOOLLEN MILLS,

241 military blouses, \$4 60.....	\$1,108 60
-----------------------------------	------------

Received payment,

LAZARD FRERES, Agents.
(By ELLIS.)

Received the above in good order, and the amount of this bill is correct. October 23d, 1863.

JOHN W. MCKENZIE,
Colonel First Artillery, C. M.

(Voucher No. 25.)

[Duplicate.]

SAN FRANCISCO, December 23d, 1863.

FIRST REGIMENT OF ARTILLERY,

Bought of AGENCY MISSION WOOLLEN MILLS,

Company A, 40 military uniforms, \$25.....	\$1,000 00
Company B, 40 military uniforms, \$25.....	1,000 00
Company C, 40 military uniforms, \$25.....	1,000 00
Company D, 40 military uniforms, \$25	1,000 00
Company E, 40 military uniforms, \$25.....	1,000 00
Company F, 40 military uniforms, \$25	1,000 00
Company G, 40 military uniforms, \$25	1,000 00
Company H, 40 military uniforms, \$25	1,000 00
	\$8,000 00

Received payment,

LAZARD FRERES,
(By ELLIS.)

Received and correct. December 23d, 1863.

JOHN W. MCKENZIE,
Colonel Commanding First Artillery, C. M.

(Voucher No. 26.)

[Duplicate.]

SAN FRANCISCO, February 9th, 1864.

Mr. WRIGHT, Quartermaster First Artillery,

Bought of BLAKE & Co.,

2½ dozen caps and cannon @ \$2 25..	\$67 50
2 officers' caps	4 50
	<hr/>
	\$74 00

Received payment,

BLAKE & CO.,
(Per RIDDLE.)

Correct.

H. NELSON WRIGHT,
Quartermaster First Artillery.

Received the above in good order.

J. W. McKENZIE,
Colonel First Artillery, C. M.

(Voucher No. 27.)

SAN FRANCISCO, February 15th, 1863.

Quartermaster WRIGHT, for Company K, First Artillery,

Bought of WILLIAM SHERMAN & Co.,

31 blue flannel sacks, at \$5 00.....	\$155 00
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Received payment,

WILLIAM SHERMAN & CO.
(By ANTHONY.)

Correct.

H. NELSON WRIGHT,
Quartermaster First Artillery.

Received the above in good order.

JOHN W. McKENZIE,
Colonel First Artillery.

(Voucher No. 28.)

[Duplicate.]

SAN FRANCISCO, February 18th, 1864.

COLONEL MCKENZIE, First Regiment Artillery, C. S. M.,

Bought of MEAD & VAN TASSELL,

20 regimental caps, complete.....	\$43 40
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Received payment, March 1st, 1864,

MEAD & VAN TASSEL.

Received the above in good order.

JOHN W. MCKENZIE,
Colonel First Artillery.

(Voucher No. 29.)

[Duplicate.]

SAN FRANCISCO, October 22d, 1863.

FIRST CALIFORNIA GUARD,

Bought of AGENCY MISSION WOOLLEN MILLS,

63 military uniforms, at \$25 00.....	\$1,575 00
75 military blouses, at \$5 00.....	375 00
50 pairs gray blankets, at \$5 00	250 00
Extra mountings new uniforms.....	28 75
Changing cuffs and collars on coats, and stripe on pantaloons, 34 uniforms.....	100 00
	<hr/> \$2,328 75

Received payment,

LAZARD FRERES, Agents.
(By ELLIS.)

I hereby certify that the within bill is correct, and that the goods were purchased for the benefit of the company under my command, and for the good of the public service.

I. BLUXOME, JR.,
Commanding Artillery.

SAN FRANCISCO, October 22d, 1863.

(Voucher No. 30)

[Duplicate.]

SAN FRANCISCO, December 1st, 1863.

SAN FRANCISCO HUSSARS,

Bought of MAIN & WINCHESTER,

30 sets horse equipments, (each set consisting of 1 McClellan saddle, 1 bridle, 1 breast collar and martingale,) at \$32.....	\$960 00
---	----------

Received payment,

MAIN & WINCHESTER.
(Per CUSHING.)

I certify to having received the thirty sets equipments, as above, and that the same are complete, and made in accordance with the sample and contract.

G. G. BRADT,
Captain San Francisco Hussars.

(Voucher No. 31.)

[Duplicate.]

SAN FRANCISCO, January 28th, 1864.

SAN FRANCISCO HUSSARS,

Bought of LAZARD FRERES,

42 cavalry uniforms, at \$25.....	\$1,050 00
Paid by the company, (less).....	10 00
	<hr/> \$1,040 00

Received payment,

LAZARD FRERES, Agents.
(By D. H. ELLIS.)

I certify having received the above quantity, and that they are in accordance with sample and contract.

G. G. BRADT,
Captain San Francisco Hussars.

(Voucher No. 32.)

[Duplicate.]

SAN FRANCISCO, October 6th, 1863.

JACKSON DRAGOONS,

Bought of MAIN & WINCHESTER,

28 sets of equipments, per contract, at \$33.....	\$924 00
4 sets of equipments, per contract, \$50.....	200 00
4 holsters, at \$16.....	64 00
30 belts, at \$3 75.....	112 50
30 blankets, at \$1 25.....	37 50
2½ dozen halters, at \$25.....	62 50
2 dozen leather-back brushes, at \$25.....	50 00
2 dozen currycombs, at \$4.....	8 00
30 pairs of blanket straps, at 25c.....	7 50
	<hr/>
	\$1,466 00

Received payment,

MAIN & WINCHESTER,
(Per CUSHING.)*Approved.*M. FENNELL,
Captain Jackson Dragoons.

(Voucher No. 33.)

[Duplicate.]

SAN FRANCISCO, October 5th, 1863.

COMPANY C, JACKSON DRAGOONS,

To J. M. & J. N. PLUMB, Dr.,

47 flannel blouses, at \$4 50.....	\$211 50
48 pairs pants, at \$5 50.....	264 00
1 cavalry trumpet.....	4 50
1 cavalry trumpet cord.....	1 25
55 cross sabres, at 7½c.....	4 13
55 brass letters, at 5½c.....	3 03
50 forage caps, at 90c.....	45 00
	<hr/>
	\$533 41

Received payment,

J. M. & J. N. PLUMB,
(By A. S. N.)*Approved.*—The above military property received for the use of Company C, First Cavalry Battalion, C. S. M.M. FENNELL,
Captain commanding Jackson Dragoons.

(Voucher No. 34.)

SAN FRANCISCO, August 31st, 1863.

FIRST LIGHT DRAGOONS,

To JOHN WILSON & SON, Dr.,

40 McClellan patent dragoon saddles and bridles, complete, with bits and neck collars, at \$33 50.....	\$1,340 00
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Received payment,

JOHN WILSON & SON.

I hereby certify that the above property is now in possession of the company, and that the above bill is correct.

C. L. TAYLOR, Captain.

(Voucher No. 35.)

SAN FRANCISCO, January 11th, 1864.

FIRST LIGHT DRAGOONS,

Bought of JOHN WILSON & SON,

10 brass mounted dragoon saddles, bridles, and breast collars, at \$30.....	\$300 00
---	----------

Received payment,

JOHN WILSON & SON.

I hereby certify that the above mentioned property is now in possession of the First Light Dragoons, Company A, C. M.

DAVID MOORE, Captain.

(Voucher No. 36.)

[Duplicate.]

SAN FRANCISCO, March 4th, 1864.

FIRST LIGHT DRAGOONS,

To J. M. & J. N. PLUMB, Dr.,

50 pairs cavalry pants, at \$6.....	\$300 00.
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Received payment,

J. M. & J. N. PLUMB,
(Per J. RYDBERG.)I hereby certify that the above bill is correct, and the property now
in possession of the company.

DAVID MOORE, Captain.

(Voucher No. 37.)

[Duplicate.]

SAN FRANCISCO, September 30th, 1863.

FIRST LIGHT DRAGOONS,

Bought of BADGER & LINDENBERGER,

20 pairs blue blankets, for saddle cloths, at \$2.....	\$60 00
--	---------

Received payment,

BADGER & LINDENBERGER.

I hereby certify the above bill is correct, and the property now in
possession of the company.

DAVID MOORE, Captain.

(Voucher No. 38.)

SAN FRANCISCO, January 12th, 1864.

SUISUN CAVALRY COMPANY,

To J. M. & J. N. PLUMB, Dr.,

22 blouses, at \$4 50	\$99 00
1 cavalry guidon.....	20 00
1 cavalry trumpet and cord	5 75
	<hr/>
	\$124 75

Received payment,

J. M. & J. N. PLUMB.

I hereby certify that the above described property is in possession of
Suisun Light Dragoons, Company D, C. M.

J. H. MARSTON, Captain.

(Voucher No. 39.)

[Duplicate.]

SAN FRANCISCO, September 21st, 1863.

SUISUN LIGHT DRAGOONS,

Bought of H. BURKHIM,

50 cavalry hats, at \$3 87½	\$193 75
6 uniform suits, at \$25.....	150 00
	<hr/>
	\$343 75

Paid,

H. BURKHIM.

I hereby certify that the above described property is in possession of
Suisun Light Dragoons, Company D, C. M.

J. H. MARSTON, Captain.

(Voucher No. 40.)

[Duplicate.]

SAN FRANCISCO, October 1st, 1863.

SUISUN CAVALRY,

Bought of MEAD & VAN TASSELL,

1 10-12 dozen fatigue caps and cross sabres, at \$16 50	\$30 25
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Paid,

MEAD & VAN TASSELL.

I hereby certify that the above described property is in possession of
the Suisun Light Dragoons, Company D, C. M.

J. H. MARSTON, Captain.

(Voucher No. 41.)

[Duplicate.]

BENICIA, October 3d, 1863.

STATE OF CALIFORNIA,

To T. S BILLING, Dr.,

To furnishing horse equipments for the Suisun Cavalry Com-
pany :

45 saddles, at \$25 each.	\$1,125 00
45 bridles, at \$5 each	225 00
45 halters, at \$2 each	90 00
45 pairs spurs, at \$1 50 each	67 50
	<hr/>
	\$1,507 50

Received payment,

T. S. BILLING.

I hereby certify that the above described property is in possession of
Suisun Light Dragoons, Company D, C. M., and acknowledge having
received the amount from the State.

J. H. MARSTON, Captain.

(Voucher No. 42.)

[Duplicate.]

SAN FRANCISCO, March 10th, 1864.

REDWOOD CAVALRY, COMPANY E,

Bought of MAIN & WINCHESTER,

35 sets horse equipments, (each set, 1 McClellan saddle, 1 bridle, 1 breast collar and martingale,) @ \$32.....	\$1,120 00
Packing and transporting the above.....	5 00
35 uniforms (coat and pants) made in accordance with Gen- eral Order No. 2, for State Militia uniforms, @ \$25.....	875 00
	<hr/> \$2,000 00

Received payment by warrant on State Treasury,

MAIN & WINCHESTER.
(By H.)The above bill is correct, and the property now in my possession for
the use of the company.H. M. LEONARD,
Commanding Redwood Cavalry.

(Voucher No. 43.)

[Duplicate.]

SAN FRANCISCO, January 2d, 1864.

CAPTAIN BARBOUR, Vallejo Rifles,

Bought of WM. GEIMANN,

54 uniform coats and pants.....	\$1,360 00
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Received payment,

WM. GEIMANN.

I certify that this bill is correct, and that I have received the said
fifty-four (54) uniforms for the use of the "Vallejo Rifles."JAMES H. K. BARBOUR,
Captain commanding Vallejo Rifles.

(Voucher No. 44.)

SAN FRANCISCO, February 19th, 1864.

NAPA GUARDS,

Bought of AGENCY MISSION WOOLLEN MILLS,

51 military uniforms. @ \$25.....	\$1,275 00
50 military caps of Mead & Van Tassel, @ \$1 87½.....	93 75
	<hr/>
By cash.....	\$1,368 75
	<hr/>
Balance.....	28 75
	<hr/>
	\$1,340 00

Received payment,

LAZARD FRERES.
(By ELLIS.)Received the above in good order from Agency Mission Woolen Mills,
for account of Napa Guards.E. S. CHESEBRO,
Commanding Napa Guards.

(Voucher No. 45.)

[Duplicate.]

SACRAMENTO, March 15th, 1864.

CAPTAIN J. J. OWEN, San José.

Bought of A. LAMOTT,

56 pairs infantry pants } 56 infantry coats..... } 56 hats and trimmings }	at \$20 per suit.....	\$1,120 00
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Received payment,

A. LAMOTT.

I hereby certify that I have received the above goods for the use of
the San José Union Guards, and you will please send to A. Lamott, of
Sacramento, the warrant that I am entitled to for eleven hundred and
twenty dollars, (\$1,120,) and oblige. (Send by return express.)

J. J. OWEN.



REPORT

OF

Assembly Committee on Public Buildings,

ON

ASSEMBLY BILL No. 79.

O. M. CLAYES.....STATE PRINTER.

REPORT.

MR. SPEAKER :—Your Committee on Public Buildings, to whom was referred Assembly bill No. 79, with instructions to make amendments thereto, have respectfully complied with instructions, and ask leave to report the same back with such amendments, and recommend the passage of the bill as amended.

We also herewith transmit to the House a report, with estimates and specifications, from Reuben Clark, Superintendent and Architect of the State Capitol Building.

FRED. LUX,
J. R. WATSON,
JOHN W. BEAMAN,
R. C. SCOTT,
C. F. MEBIUS.

REPORT OF ARCHITECT,

WITH

SPECIFICATIONS.

REPORT.

SACRAMENTO,
February 24th, 1864, }

*To the Honorable Committee on Public Buildings, consisting of Messrs. Lux,
Watson, Mebius, Beaman, and Scott:*

GENTLEMEN:—I herewith submit, in compliance with your instructions, a specification and cost of the various materials, and mechanical workmanship, the number and dimensions of the rooms, and the purposes for which they are intended to be used. The description of all the materials, and the manner of the construction of the work, is given in full in the accompanying specifications; and the cost of the materials, and construction of other works, is given in the following estimate:

EXCAVATIONS AND GRADING.

825 cubic yards of excavation, (@ 25 cents.....	\$206 25
100,000 cubic yards of filling and grading, (@ 25 cents.....	25,000 00
255 cubic yards of concrete, (@ \$10.00.....	2,550 00

BRICK WORK.

8,800,000 bricks laid in the walls, including mortar, (@ \$17.00	149,600 00
950,000 bricks for flooring and other arches, (@ \$20.00.....	19,000 00

GRANITE WORK.

26,950 feet of granite ashler, set in the walls, (@ \$2.40.....	64,680 00
1,130 lineal feet of cornice, (@ \$16.00	18,080 00
1,100 lineal feet of architrave, (@ \$3.00	3,300 00
Mouldings and panels in various portions of the work, (@—	3,500 00
1,550 lineal feet of string course, (@ \$4.00	6,200 00
7,900 square feet steps, (@ \$2.20.....	17,380 00
For extra work on windows and door heads.....	2,500 00

Amount carried forward.....	\$311,996 25
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Amount brought forward.....	\$311,996 25
FREESTONE.	
64,500 square feet of freestone, @ \$1.65.....	106,175 95
1,171 lineal feet of main cornice, @ \$35.00.....	40,985 00
1,000 lineal feet of architrave, @ \$3.50.....	3,500 00
1,440 lineal feet of cornice of pedestals, @ \$6.00.....	8,640 00
238 lineal feet of cornice for colonnade, @ \$8.00.....	1,904 00
281 lineal feet of base around cupola, @ \$2.50.....	702 50
180 lineal feet of base at base of dome, @ \$6.00.....	1,080 00
533 lineal feet of cornice around dome, @ \$5.00.....	4,264 00
20 trusses on cupola, @ \$10.00.....	200 00
Architrave for 116 windows, @ \$50.00.....	5,800 00
Cornices for 6 windows, @ \$35 00.....	210 00
Cornices for 6 windows, @ \$25.00.....	150 00
Finish for entrance doors, including pilasters, caps, and cornices, @—.....	1,200 00
30 Corinthian caps for windows, @ \$30.00.....	900 00
20 columns, bases, and caps, @ \$900.00.....	18,000 00
74 Corinthian caps for pilasters, @ \$250.00.....	18,500 00
74 bases caps for pilasters, @ \$28.00.....	2,072 00
930 balusters, @ \$8.50.....	7,905 00
TILING FOR FLOORS.	
70,000 square feet of encaustic tiles, @ 90 cents.....	63,000 00
7,350 square feet of marble tiles, @ \$1.25.....	9,187 50
1,276 square feet of granite tiles, @ \$1.50.....	1,914 00
134 lineal feet of marble steps, @ \$5.00.....	670 00
45 lineal feet of marble plinth, @ \$3.00.....	135 00
FRAMING TIMBER.	
220,000 square feet of framing timber, to be delivered on the grounds, @ \$32.00.....	7,040 00
85,000 square feet white pine, @ \$45.00.....	3,825 00
9,500 square feet of cedar for shelving, @ \$40.00.....	380 00
For framing and bracketing.....	3,500 00
Mechanical labor for shelving.....	1,800 00
FLOORING AND ROOFING.	
11,000 square feet of flooring laid in building, @ \$52.00.....	572 00
82,000 square feet of roofing plank laid in building, @ \$50.00.....	4,100 00
30,000 square feet for scaffolding, etc., @ \$28.00.....	840 00
DOORS.	
7 exterior oak doors.....	475 00
Amount carried forward.....	\$631,623 20

Amount brought forward.....	\$631,623 20
71 oak doors in basement, @ \$35.00.....	2,485 00
38 oak doors in principal story, @ \$35.00.....	1,330 00
45 oak doors in second story, @ \$35.00.....	1,575 00
10 pine doors, @ \$8.00.....	80 00
WAINSCOTING.	
75,000 square feet of oak for wainscoting and stairs, @ \$75.00	5,625 00
MECHANICAL LABOR.	
Interior stairs, @ —	4,500 00
Architraves for 173 windows, @ \$12.00.....	2,076 00
Architrave for 6 ex. doors, @ \$14.00.....	84 00
2,575 lineal feet of wainscoting, @ \$4.50	11,587 50
Base in second story	687 00
COLUMNS, CAPS, ETC.	
44 Ionic capitals and bases, @ \$70.00.....	3,080 00
30 Corinthian columns, caps and bases, @ \$85.00.....	2,550 00
44 Ionic pilasters, caps and bases, @ \$30.00....	1,320 00
58 Corinthian pilasters, caps and bases, @ \$50.00.....	2,900 00
Ornamental wood carving	8,000 00
Cornice around gallery in rotunda, and balustrade, including workmanship.....	972 00
For carpenters' labor, not before included	16,000 00
PLASTERING AND CORNICE.	
22,846 yards plastering, @ 60 cents.....	13,707 60
5,154 yards cement plastering. @ \$1.20.....	6,184 80
5,823 lineal feet of cornice, @ \$3.50	20,380 50
1,000 lineal feet of architrave, @ \$1.50	2,500 00
Ornamental plaster work.....	10,000 00
CAST IRON.	
15,500 pounds cast iron for apex of dome, @ 20 cents	3,100 00
20,108 pounds cast iron pipes and plates, @ 10 cents	2,010 00
974 pounds of cast iron plate, @ 15 cents	146 10
20 cast iron columns, 2,358 pounds each, @ 15 cents.....	6,074 80
WROUGHT IRON.	
5,057 pounds for two frames and 16 vault doors, @ 16 cents	809 12
For locks	1,600 00
26,114 pounds for shutters, @ 16 cents	4,178 22
For fastenings of shutters.....	250 00
Amount carried forward.....	\$767,415 84

Amount brought forward	\$767,415 84
For ornamental mouldings, @ —	500 00
For exterior window sashes, transom, and sky-lights, @ —	11,980 00
170 tons floor beams, @ \$120	20,400 00
16,000 pounds for beam ties, etc., @ 12 cents.....	1,920 00
Trimmings and fastenings for sashes.....	575 00
IRONMONGERY.	
For locks, hinges, and furniture	875 00
16 bank locks	1,960 00
For nails, etc.....	3,500 00
PLUMBURY.	
Plumbury	5,525 00
PAINTING AND GLAZING.	
Painting and glazing	45,275 00
DESKS.	
6 desks formed as specified of San Domingo mahogany, with marble steps, @ \$800..... ..	4,800 00
ROOFING.	
484 squares of copper roofing, @ \$45.....	21,780 00
HEATING APPARATUS.	
28 marble mantles and reflectors in the basement story....	3,460 00
20 marble mantles in the principal story.....	1,475 00
20 marble mantles in the second story.....	1,000 00
1,865 pounds 4 inch supply pipe, @ 15 cents.....	279 75
3,451 pounds 3 inch supply pipe, @ 15 cents.....	517 65
3,975 pounds 2½ inch distributing pipe, @ 15 cents.....	596 25
2,850 pounds of copper heating pipe, @ 50 cents.....	1,445 00
Boiler and setting.....	600 00
GAS PIPES AND FIXTURES.	
Gas pipes and fixtures	15,500 00
NOTE.—The Senate Chamber, Assembly Hall, and Library Room to be lighted as described in specifications.	
2 Doric columns, pedestals, bases, and caps, @ \$525.....	1,050 00
4 piers in Library, cut and polished, @ \$675.	2,700 00
Contingent expenses, coal derricks, ropes, etc., etc.....	15,000 00
Amount carried forward.....	\$930,129 49

Amount brought forward.....	\$930,129 49
For sculpture over principal doorway, and tympan of pediment	15,000 00
Sum total.....	\$945,129 49

The above calculations and estimate have been made with care and at current prices, and with a view of constructing the edifice symmetrically—exterior and interior corresponding. The granite with which I started, and which we are now using, is of bad rift, with black knots, and by reason of which has caused us much expense, for often, when a stone was about completed, a black knot would be struck, which would cause the stone to be re-cut, and often abandoned; notwithstanding, when it is cut and set, looks well and will be very durable, the principal objection is the great expense in working it, and the consequence is that if the facade of the building was to be reared by this material, the cost would be greater than my estimate; but fortunately this defect can be obviated. On the Pacific Railroad line there has been discovered a most excellent quality of granite. Through the kindness and courtesy of ex-Governor Stanford I was made acquainted of this, with whom I visited the quarries and found it in quantity inexhaustible, and in quality free from all black knots, stains, or any defects, with a fine grain, and excellent rift.

After learning the quality of the stone, and the facilities for bringing it to Sacramento. (viz: a provision of an Act of Legislature providing that the Pacific Railroad Company should transport all material that may be required for the construction of the State Capitol building free of charge.) I changed my estimate, and made my calculations in accordance with the changes made by the difference of price, and which allowed me to put better material and workmanship in the interior of the building than otherwise I could have done. In the hope of procuring the stone as above stated, the changes that have been made consist of the interior finish, from pine to oak in doors, wainscoting, base, etc. The plastering will be better finished than otherwise could have been, and the ceiling of the dome has been changed from wood to brick, with many other important changes in keeping with the symmetry of the exterior of the building.

I am, gentlemen, very respectfully,

Your obedient servant,

REUBEN CLARK,
Architect.

SPECIFICATIONS

Of Labor, Materials, and Mechanical Workmanship, to be furnished and employed in the erection and completion of the State Capitol of California, which is now in course of erection on a lot of ground situate in the City of Sacramento, bounded by L. N, Tenth, and Twelfth Streets; the work to be carried on under the direction of the Governor, Secretary of State, Treasurer of State, Alfred Redington, and Edgar Mills, Commissioners to superintend the erection of the same.

GENERAL DIMENSIONS.

The dimensions of the building and sizes of the various parts are given in English feet and inches, and figured on the drawings. The extreme length on the ground line, exclusive of the end porticos, is two hundred and eighty-six (286) feet nine (9) inches; including the end porticos, makes the extreme length of the building three hundred and fifteen (315) feet one (1) inch. The extreme length at the ends, including the central projection on the east end, is one hundred and fifty (150) feet six (6) inches. The width of the wings forming the areas on the east front, are eighty-two (82) feet. The extreme length through the centre, including the front porticos, is one hundred and sixty-five (165) feet eight (8) inches. The front steps are eighty (80) feet nine (9) inches in length, including abutments or pedestals at the sides. The projection of steps, from the portico, is fifty (50) feet. The divisions, subdivisions, and arrangements, are to be the same as shown and figured on the several story plans.

HEIGHT OF STORIES AND CUPOLA, ETC.

The height of the basement, from the established ground line to the top of the first or basement story, is to be twenty-four (24) feet; and from thence to the top of the main cornice, forty-six (46) feet six (6) inches; and the height of the balustrade from thence to the top of the pedestals, is to be six (6) feet six (6) inches; making the entire height, from the established ground line to the top of the balustrade, seventy-seven (77) feet; and from thence to the apex of the cupola, one hundred and twenty-eight (128) feet; making the entire height of the apex of the cupola, two hundred and five (205) feet. The height of the basement story is to be twenty (20) feet; the rooms in the principal story eighteen (18) feet six (6) inches, and the rooms in the second or last story are to be sixteen (16) feet six (6) inches. The Senate Chamber and Assembly

Hall are to be forty-five (45) feet in height, and all to be in the clear of floor and ceilings when finished.

BRICK WORK.

The thickness and various dimensions of all the walls, piers, and arches, throughout the entire building, are to be of the same dimensions as shown on the plans, and all the exterior walls to be built to the heights hereinbefore specified. The walls under the Senate Chamber, Assembly Hall, and Library, are to be the height of the basement story, terminating with the arching of the floors. The rotunda walls will be in height, from the established ground line to the springing line of roof of the cupola, one hundred and forty two (142) feet, or one hundred and twenty-eight (128) feet above the wall in its present condition, and to be continued up in all of its parts to the height of sixty-two (62) feet above the established ground line, or forty (40) feet above the wall now built; and from thence to the top to be reduced six (6) inches in its thickness, with the exception of the pilasters, which are to project to the full thickness of the present wall.

All other interior walls are to be built to the line of the roof beams, of the same thickness now built, with the exception of the portions of the walls connected with the rotunda which support the colonnade, which will be twenty-eight (28) feet above the top line of the main cornice.

The foundation walls for all the exterior steps to the porticos, also to one of the rear doors, are to be of the form and dimensions shown and figured on the plans, (and to be commenced in the trenches, at the depth hereinafter specified, as grading, etc..) and to be built to the established ground line, which will be seventeen (17) feet in height for the end porticos and rear door.

The foundations for the front steps will be commenced with a bed of concrete three (3) feet in thickness under all the walls, to be formed of the same description of materials and to be equal in every respect as that under the main building, which will make the brick walls fourteen (14) feet high up to the established ground line.

All the interior walls are to be thirteen (13) inches thick, and built to the line of the steps. The exterior walls, which are to be faced with granite ashler, will be backed by brick work sixteen (16) inches thick. There will be thirteen (13) inch arches turned over all the openings between the walls, and the spandrels are to be filled up to a level with the bottom of the steps, in the form and manner shown on the drawings for the same. The four dwarf walls are to be commenced on the bottom—ten (10) courses of bricks, battering upwards two (2) inches to every two (2) courses, to the line of the superincumbent walls, which are to be thirteen (13) inches thick to the line of the floor arches. The foundations for the area walls around the cellar door and window are to be bricked up in the same manner to the established ground line as those for the steps of the end porticos.

All the bricks are to be of the usual dimensions, (excepting the arch brick,) sound, and hard burnt, and of the best quality, and no soft brick to be used in any portion of the works. All bricks forming architraves, mouldings, in panels, and cornices, in the interior of the halls and rotunda, are to be neatly cut or moulded.

The bricks for the floor arches are to be moulded of the forms and dimensions that may be required. There are to be seventeen (17) inches arches turned over all the openings between the piers of the porticos;

also over the exterior doors, and over the intercolumnation over the columns of the portico; and also over all openings that exceed five (5) feet span.

All the interior doors, also all the windows, are to have twelve (12) inch arches at the tops of all throughout the building.

All the hall floors in the basement story, the gallery around the rotunda, also the ceilings of the first story of the porticos, are to be formed with groined arches nine (9) inches thick. All other floors throughout the building, also the floor around the rotunda above the roof line, not hereinafter otherwise specified, are to be formed with arches supported on wrought iron girders, the bricks to be so formed as to make the arches eight and a half ($8\frac{1}{2}$) inches at the springing line, and to diminish to five (5) inches at the centre of the arches.

There is to be an arch built for the ceiling of the rotunda, formed and panelled as shown on the drawings—the brick to be formed either in their manufacture or by cutting to the required forms.

The walls to be seventeen (17) inches thick at the springing line, and to terminate at the top nine (9) inches thick—the said thickness of the walls is to be exclusive of the ribs and projections forming the panels.

The form of all arches throughout the entire works is to be formed in strict accordance with the detail drawings for the same. There are to be arches thirteen (13) inches thick turned over all the vaults throughout the building. The spandrels formed by all the arches in floors, vaults, etc., are to be filled to a level with the tops of the arches with bricks. There are to be fire places, flues, grooves, and holes built in and through the walls, for the reception of gas and heating pipes at all such places as may be required. In the execution of the work care must be taken to effect a perfect bond, and every fifth (5th) course to be laid headers.

There is to be a vault ten (10) feet on the interior diameter, and thirty (30) feet deep, the walls to be thirteen (13) inches thick, and to diminish from the last ten (10) feet of its height to three (3) feet on the interior diameter at the top.

There is to be a sewer to extend from the water closets to connect with the vault or cesspool, which will be four hundred (400) feet long, twenty-two (22) inches on the interior diameter; also one (1) one hundred and twenty (120) feet long, connecting with the large sewer, and to be twelve (12) inches on the interior diameter. The walls of each sewer are to be nine (9) inches thick, and to have such descent from the building as may be required.

All the bricks throughout the entire building are to be well wetted, and solidly laid in mortar, to be as close a joint as practicable, and each and every joint to be filled solid with mortar in the best manner. All chimney flues to be neatly pargeted, and, on the completion of the works, to be cleared from all obstructions.

CUT STONE WORK.

The entire exterior facings (exclusive of the work now done) of the basement story, from the established ground line up to the top of the basement story cornice, including all the steps and door-sills not now cut, also the sill of the entrance door from the front portico to the principal story, the abutments at the ends of the steps, also all the soffits between the portico piers and the recesses of the two rear entrance doors in the eastern side of the building, the sides and soffits of the two recesses

to said doors, are to have neatly moulded panels. All the panels in the arches over the doors and windows, also those in the piers between the string course and the architrave of the first story cornice, are to have neatly moulded panels sunk two and a half (2½) inches. All of the architraves over arched window heads and doors, also the string course at the springing line of the arches which is to be continued around the entire building, with the exception through the apertures for the windows.

Also, the basement story cornice and architrave are all to be neatly moulded. The portion of the architrave forming the lintels over the doors and windows are to have not less than six (6) inch beds on the walls between the piers.

All portions of said stone work is to be granite of a uniform color, clear from all sap, black knots, flaws, stains, or other defects, and to be of the dimensions shown by the plans; all the joints and beds are to be cut true and perfect. All of said granite is to be cut perfectly true, and of the required forms, and to be of patent-hammer finish, and set in every respect equal to the granite work now in the building. Also care must be taken that all the joints are solidly filled with such mortar as is hereinafter specified; and should any unevenness in either the beds or head joints occur, slates are to be driven into such joints or defects in such a manner as to make the joints and beds perfectly solid in every respect. On the completion of the works all of the stones are to be perfectly cleaned and left clear of all dirt or stains that may accumulate during the construction of the building. All the joints are to be neatly pointed with the most approved cement, and to be colored of such tint as may be required. And on the completion of the works each and every stone is to be left perfect.

FREESTONE.

The entire facade of the building, from the top line of the basement story to the springing line of the dome or roof of the cupola, also the columns of the porticos, including the bases, caps, pedestals, architraves of both doors, windows, and cornices, also the base supporting the colonnade around the cupola, also all the balustrades, both in the porticos around the building above the main cornice, and those forming the terminus of the colonnade around the cupola, and all the window frames in the basement, are to be formed of freestone, and to be of the forms and dimensions shown by the detail drawings for the same; no stone to have less than eight (8) inch bed on the walls. All the cornices are to have not less than double their weight of the projecting portions resting on the wall.

In forming the bond at all the angles, no headstone to be less than twelve (12) inches thick, and all the bonds are to be formed the same in every respect as shown on the plans. All the cornices, pedestals, bases, capitals, architraves, windows, and door finish, also all the balustrades and moulded work of every description on the exterior of the building above the basement, up to the springing line of the dome, (with the exception of the columns around the cupola,) are to be neatly cut and moulded in exact accordance with the detail drawings for the same, which are to be made as required for use, and said drawings are to be made in exact conformity with the true forms and intent and meaning of those shown on the various plans and elevations. The ornamental work in the panel over the front door in the principal story floor, is to represent the coat of arms of the State of California; and the figures in the tympan of the

pediment over the front portico, are to represent Commerce in the centre; on the right of it is a representation of Agriculture, and on the left, Mining. They are all to be cut in the best manner to the proper size in basso-relief, and the stone forming the tympan is to be of sufficient thickness for raising the sculpture on its surface.

All portions of free or sandstone are to be cut true and even, and rubbed to a smooth surface, and every stone to be equal, both in work and quality, to the sample now in the Architect's office. All of said stone to be clear from all flaws, stains, or other defects, and all to be set in the best and most approved manner to a close joint, in mortar; and each and every stone, including the granite in the basement walls, are to be anchored to the brickwork in the most approved manner. All iron cramps, dowels, and ties, necessary for the permanence and durability of the structure, to be furnished and used as may be required.

The mortar is to be gonged out to the depth of one eighth ($\frac{1}{8}$) of an inch below the surface of the stone; and on the completion of the works all of said stone work is to be cleaned of all spots, stains, dirt, or other defects, and the joints pointed with the most approved cement, and to be made of such tint or color as may be required.

MORTAR.

The mortar for the brick and stone work above the established ground line is to be formed with equal parts of the best hydraulic cement and fresh Cave Valley lime. The brick work below the established ground line to have two parts of cement to one of lime, and all the mortar to be thoroughly manipulated in a mill prepared for that purpose, with a proper proportion of clean, sharp sand, which is to be well screened through a fine sieve before using in the mortar.

DIGGING AND GRADING.

Excavations are to be made for the reception of all the foundations of exterior steps, areas of window and cellar entrance, also, for the dwarf walls under the rotunda and Court Room floors; they are to be dug to the clay which is below the alluvial soil. The excavation of the cess-pool is to be twelve (12) feet in diameter, and to the depth of thirty (30) feet below the surface of the ground. The earth is to be filled in around all the foundations, walls, and drains, up to the present surface of the ground. The cellar designed for heating arrangements is to be filled up four (4) feet above the present surface of the ground, and one (1) foot on the top filling to be of clay, and to be solidly pounded down for the reception of the floor. All other rooms and halls are to be filled to the average height of eleven (11) feet. All the vaults are now filled and arched over.

The lot of ground to be graded is seven hundred and forty (740) feet by seven hundred and twenty (720) feet.

The height of filling, at the line of the building, will be on average eleven (11) feet; and at the street line to be one (1) foot nine (9) inches above the sidewalk, and all to be filled on a regular grade from the line of the building to the street. All of said grading, excepting that portion occupied for the carriage-ways, are to have not less than two feet of soil on the top portion of the filling.

CAST IRON WORK.

There is to be a casting, or castings, twelve (12) inches wide, and to have flanges at the top, bottom, and ends of each, two and a half ($2\frac{1}{2}$) inches wide and one half ($\frac{1}{2}$) inch in thickness, the front side to be moulded, and the casting to form a circle of twenty-seven (27) feet in diameter, making the full length to be eighty-four (84) feet nine (9) inches and seven eighths ($\frac{7}{8}$) of an inch.

It is to be cast in not more than ten sections, and the end flanges to be screwed with three (3) three quarter ($\frac{3}{4}$) inch bolts at each joint. All the joints are to be so fitted as to make a perfect joint, and the face to be made perfectly smooth. There are to be four hundred and forty (440) lineal feet of cast iron conductors of five and a quarter ($5\frac{1}{4}$) inch calibre, and the castings for both conductors and sewers are to be three-eighths ($\frac{3}{8}$) of an inch in thickness. All the joints of the sewers are to be well filled with lead, and those in the walls of the building to be well filled with brimstone and sand. There will be required five and a half ($5\frac{1}{2}$) tons of cast iron for plates, thresholds, etc., the forms to be made in accordance with detail drawings which will be furnished.

There are to be twenty cast iron columns, including bases and capitals; the columns are to be two (2) feet in diameter at the base, and twenty (20) feet high, including base and capital, each column to have twenty-four (24) flutes; the castings to be three eighths ($\frac{3}{8}$) of an inch thick, exclusive of the projections of the fillets between the flutes. All portions of the terminus or finish of the top of the dome from the top of the convex portion—including the ball on the apex—are to be formed of cast iron; the various forms to be in exact accordance with the detail drawings which will be furnished. The castings are to be three eighths ($\frac{3}{8}$) of an inch thick, exclusive of the projecting ornaments. There are to be openings formed between all the trusses for the reception of sashes. All of said castings to be cast in sections, and to have flanges not less than three eighths ($\frac{3}{8}$) of an inch thick and two (2) inches in width, and to be bolted together, and to have sheet lead between all the joinings.

WROUGHT IRON WORK.

There are to be two (2) sets of frames for each of two (2) vault doors in the principal story, formed of five eighths ($\frac{5}{8}$) by three (3) inch iron; the inside frames to be two (2) feet eight (8) inches by seven (7) feet ten (10) inches; the outside frames are to be three (3) by eight (8) feet.

The inside and outside frames are to be connected with plate iron three sixteenths ($\frac{3}{16}$) of an inch thick, extending to the full thickness of the walls. The frames are to have cross-ties formed of one half ($\frac{1}{2}$) by two (2) inch bar iron, so placed as to divide the sides into three (3) sections in height, and the top into two (2).

The plates are to be securely riveted to all of said frames and cross-ties. Each of said frames is to be securely anchored to the walls.

There are to be sixteen (16) iron doors for the vaults, *i. e.* two for each; eight (8) of said doors to be three (3) by eight (8) feet, and eight (8) two (2) feet eight (8) inches by seven (7) feet ten (10) inches. The eight (8) small doors to be formed of sheet iron three sixteenths ($\frac{3}{16}$) of an inch thick; and the three (3) by eight (8) feet doors are to be formed with sheet iron one quarter ($\frac{1}{4}$) of an inch thick.

* The linings are to be formed with five eighths ($\frac{5}{8}$) by two (2) inches, for all the outside linings of the doors. Each door to have eight (8) panels, the linings to be five eighths ($\frac{5}{8}$) by one and three quarters ($1\frac{3}{4}$) inches; one piece to be perpendicular through the centre of the doors, and three crossing horizontally. All of said iron bars forming the frame are to be halved and welded at all their joinings and to be executed in the most perfect manner. The sheet iron to be securely riveted to the frame work in the best manner, and the rivets to be so placed as not to exceed three inches from centres. Each door to have a stop at the bottom formed of one half ($\frac{1}{2}$) by one and a half ($1\frac{1}{2}$) inch bar iron, and to be secured to the bottom plate in the best manner. Each door to have three (3) hinges, with bars for securing the doors, and all of said hinges and bars to be arranged in the most secure and approved manner. All of said doors are to be secured with Hobbs' Patent Bank Locks; the outside doors to have Number Ones of the best quality, and the inside doors to have Number Twos—and all to be secured to the doors in the most approved manner.

There are to be fifty-four (54) windows in the basement story, secured with iron shutters formed in four (4) folds to each window. The sizes of fifty-two (52) windows are each to be four (4) feet nine and a half ($9\frac{1}{2}$) inches wide, and for two (2) windows five (5) feet five and a half ($5\frac{1}{2}$) inches wide, and all to be nine (9) feet five and a half ($9\frac{1}{2}$) inches high. They are to be formed of sheet iron one eighth ($\frac{1}{8}$) of an inch thick; each fold for fifty-two (52) windows is to be formed with five panels, and two windows ten panels to each fold. The frames forming the panels are to be of one half ($\frac{1}{2}$) by one and three quarters ($1\frac{3}{4}$) inches for all hanging styles; bottom rails, and all other portions of the frames to be one half ($\frac{1}{2}$) by one and a half ($1\frac{1}{2}$) inches.

The sheet iron is to be securely riveted to the frames, the rivets not to exceed three (3) inches from centres in any instance, and the frames are to be countersunk, so that the ends of the bolts to be riveted may be flush with the frames. There are to be ornamental mouldings in all the panels, to be formed of cast iron, and all to be secured in the best manner.

Each part of all of said shutters is to have three (3) wrought iron hinges to their height, and to be secured into the iron frames in the best manner, and all to be secured with the most approved bolts and bars, complete. All window sashes throughout the entire exterior of the building, including also the skylights, are to be formed of wrought iron; those for the basement and principal stories are to be formed in three (3) parts, the portion of the circular to be in one piece, and to be stationary. The sashes in the second story are to be formed in two parts, and all of said sashes are to be hung with three (3) hinges to each part. There are to be ten windows in the first section of the cupola above the roof, six (6) are to be formed in one piece, and four (4) to be formed in three (3) parts, the bottom portions to be hung with two hinges to each. There are to be twenty (20) windows in the second or top section, four (4) of said sashes to be formed in two (2) parts, hung with two (2) hinges to each. All of said sashes are to be secured to the frames in the most approved manner, and the sashes are to be hung in the best manner, and secured with the most approved fastenings. All the exterior transom sashes over the entrance doors are to be formed of wrought iron, in the same manner as described for the windows. There are to be one hundred and seventy (170) tons of wrought iron beams for the support of the brick floors, and a portion of the brick partitions and

walls around the cupola, each girder to be in one piece with those for the support of walls, which are to be compound boxed girders.

All the boxed girders, and all solid girders exceeding seventeen (17) feet span are to rest in the walls at each end on cast iron plates, as hereinbefore specified. There will be required eight (8) tons of wrought iron for ties for the floor beams, anchors, and clamps, for securing the stone to brick work; also for all straps and bolts for the roof, dome, and all other portions of the works where it may be found necessary to use iron for its durability. The workmanship of securing the ties of the iron beams, and securing and forming of all clamps, dowels, and bolts, are to be executed in the best manner, and of such forms as will be best adapted for the purpose intended.

LUMBER AND FRAMING.

The roof of the building and dome are to be framed in every respect in accordance with the drawings for the same.

There are to be fifteen (15) sections of truss rafters over the Senate Chamber and Assembly Hall; the tie-beams are to be eight (8) by sixteen (16) inches, and seventy-seven (77) feet long; each end of the beams to be further strengthened with a beam eight (8) by ten (10) inches, and eight (8) feet long, to be securely bolted to the bottom side of the beams. There are to be six braces to each section; two to be eight (8) by ten (10) inches, two eight (8) by eight (8) inches, and two (2) six (6) by eight (8) inches; eight (8) of said rafters are to have straining beams between the principal rafters; all the principal rafters and the straining beams are to be eight (8) by twelve (12) inches.

The seven (7) sections which have the rafters extending to the apex of the roof, also the eight (8) which have straining beams between the tops of the rafters, are to terminate in cast iron sockets. There are to be four (4) principal rafters over the Library Room, the beams to be seven (7) by fourteen (14) inches, and sixty-two (62) feet long; the principal rafters to be seven (7) by ten (10) inches, and each section to have four (4) braces—two (2) of which are to be seven (7) by eight (8) inches, and two (2) six (6) by seven (7) inches. There are to be three (3) other trusses forming the roof over the Library Room, of the following lengths, viz: one (1) to be sixty (60) feet, and one (1) fifty-two (52) feet long; the beams, rafters, and braces are to be of the same dimensions as those above specified—one (1) to be thirty-eight (38) feet six (6) inches long, the beams to be six (6) by twelve (12) inches, the rafters and straining beams to be six (6) by eight (8) inches, braces four (4) by six (6) inches. All the principal rafters and straining beams are to be connected with cast iron sockets at the top. There are to be sixteen (16) truss girders, eight (8) for the support of the roof over the front entrance vestibule, twenty-three (23) feet long; the beams to be six (6) by twelve (12) inches, and the top timbers six (6) by ten (10) inches, and the top plate six (6) by eight (8) inches; there are to be four (4) braces in each of the girders, four (4) by six (6) inches.

The rafters of the roof over the two (2) end porticos are each to be supported on four (4) truss girders, the beams and plates are to be fifteen (15) feet long, the bottom beam to be five (5) by ten (10) inches, and the top plate five (5) by eight (8) inches, and each girder to have four (4) braces, four (4) by five (5) inches. All other portions of the roof to be supported with principal rafters and truss girders, to rest in the brick walls, *i. e.*, both exterior and interior.

All of said principal rafters and trusses are to be formed and arranged as shown by the plans, and all to be so placed as not to exceed eight (8) feet from centres.

The beams and braces of those over the rooms are to be six (6) by twelve (12) inches; plates, rafters, and straining beams, six (6) by ten (10) inches; and braces, four (4) by six (6) inches. All spaces over the halls are to be spanned with beams six (6) by ten (10) inches, the principal rafters six (6) by eight (8) inches, and to have two (2) braces to each, four (4) by six (6) inches. All the hip and valley rafters are to be four (4) by ten (10) inches, and the top to be framed, so that the sheathing will fit closely. All the common rafters are to be three (3) by six (6) inches, and to be notched down one (1) inch on the top of the principal rafters and girders on which they are supported; and the jack rafters are to be closely fitted to the hip and valley rafters, and to be so placed as not to exceed sixteen (16) inches from centres, and all to be spiked to the rafters and plates in the most secure manner. There is to be a wall plate to extend around the entire building, six (6) by fourteen (14) inches, and to have a splice at all the joints of the best description, and not to be less than two (2) feet eight (8) inches long; and all the angles are to be halved, and the joinings to be secured in the best manner with iron clamps. The roof of the dome is to be constructed with twenty (20) ribs, formed in three (3) thicknesses of two and a half (2½) inch plank, the form to be the same as shown on the plans, and to be twenty (20) inches at the springing line, and diminish to fourteen and a half (14½) inches at the top; the space between the ribs to have purlins or inter-ties, which are to be of the circle of the dome at their position, and four (4) inches less in their width; there are to be six (6) in the height of the dome, the three (3) first cornices to be six (6) inches thick, and the three (3) top courses to be four (4) inches thick, and all to be framed into the ribs with double tenon. There is to be a plate on the top of the wall (at the base of the dome) formed of three (3) thicknesses of three (3) inch plank, eighteen (18) inches wide; also, one (1) at the top of the dome with (4) thicknesses of three (3) inch plank, and to be thirteen (13) inches wide. The plank forming all of said plates and ribs are to be planed smooth and to a thickness, and those that are formed of more than one (1) plank or timber are to be well filled between all the joints with the best quality of white lead and oil, and to be applied in two (2) coats. All of said plates and ribs are to be secured in the best and most permanent manner.

The twenty (20) main ribs are to be secured to the plates at the bottom and top with clamps formed of one half (½) by two (2) inch iron, passing around the plates, and securely bolted to the ribs.

The plate is to be secured to the rotunda wall by twenty (20) bolts, formed of one and a half (1½) inch round iron, to be built in the walls and well secured, not less than ten (10) feet below the plate; also, all the inter-ties are to be secured with anchors as may be required.

There are to be ribs formed of three (3) inch plank between the main ribs, and to be so placed as not to exceed twelve (12) inches from centres; they are to be of the same widths as the horizontal ties between the main ribs, and to be secured in the best manner.

CEILING JOISTS, AND GALLERY FLOORS.

There are to be ceiling joists over all rooms and halls in the second story, said joists to be two (2) by twelve (12) inches for all bearings not

exceeding sixteen (16) feet span, and all bearings exceeding sixteen (16) feet, are to be two (2) by sixteen (16) inches, and all to be so placed as not to exceed twenty (20) inches from centres.

All of the sixteen (16) feet ceiling joists are to have two (2) rows of cross-bands, and those exceeding sixteen (16) feet are to have three (3) rows; the cross-bands are to be formed of two (2) by three (3) inch scantling, cut to fit the joist closely, and to be securely spiked thereto. The ceiling joists over the Senate Chamber, Assembly Hall, and Library Room, are to be formed with two (2) by eight (8) inch scantling, and to be so placed as not to exceed twenty (20) inches from centres, and are to be framed into the beams with two (2) tenons at each end.

The floor joists for the galleries in the Senate Chamber, Assembly Hall, and Library Room, are to have one row of bridges formed of two (2) by two and a half ($2\frac{1}{2}$) inch scantling, to be cut to fit closely to the joists, and securely spiked thereto. The joists are to be formed with three (3) by ten (10) inch joists, and to be so placed as not to exceed twelve (12) inches from centres, one end of the joists to be built in the walls and securely anchored at intervals not to exceed six (6) feet, and the ends supported by the columns and brackets are to rest on the top of the plates, which are to be eight (8) by twelve (12) inches, and the circular portions are to be formed in three (3) thicknesses of plank, to be dressed true and even to the required thickness, and to be securely bolted together.

FURRING AND BRACKETING.

All the ceilings throughout the basement and principal stories, where the above floors are constructed with iron beams, are to have ceiling joists two and a half ($2\frac{1}{2}$) by five (5) inches, and to be so placed as not to exceed two (2) feet from centres; the ends are to be fitted so as to rest solid on the iron flanges of the iron beams; every fourth joist is to be connected with a clamp formed of three eighths ($\frac{3}{8}$) by three quarters ($\frac{3}{4}$) inch iron, and to be turned up into the joist two (2) inches at each end. All the ceilings throughout the building, except those formed by groined arches, are to be cross-battened with plank one and a half ($1\frac{1}{2}$) by two (2) inches, and all to be securely spiked to each joist, and not to exceed twelve (12) inches from centres in any instance, the ceiling to be perfectly straight and even.

All the rooms in the basement story, and all rooms and halls in the principal and second stories, are to be bracketed for cornices; the brackets are to be formed of one and a half ($1\frac{1}{2}$) inch plank, and to be secured to the walls and ceilings, and not to exceed twelve (12) inches from centres. The ribs for forming the coves, above the cornices, in the Senate Chamber, Assembly Hall, and Library Room, are to be of the forms shown on the drawings, and to be made in two (2) thicknesses of one and a quarter ($1\frac{1}{4}$) inch plank, securely spiked together, and secured to their positions in the most secure manner, and not to exceed twelve (12) inches from centres.

There are to be three (3) rows of bonding between the ribs in the Library Room, and one (1) between the ribs in the Senate Chamber and Assembly Hall; the bonds to be one and a quarter ($1\frac{1}{4}$) inches thick, and the width of the ribs. The ceilings of the Senate Chamber and Assembly Hall are to be furred for the panels, which are to be formed as shown on the plans; the ribs in the ceilings of the Library are to be furred to the forms as shown on the drawings. All of said furring and bracketing throughout

the entire building is to be executed in the best and most durable manner, and to be so arranged that the nailings of the lath shall not exceed twelve (12) inches apart in any instance, and all to be formed in strict accordance with the plans and detail drawings, which will be furnished as required. All of said framing timber, joist, furring, and brackets, are to be of Oregon or Puget Sound lumber, clear from all unsound knots, sap, and all other defects, and to be thoroughly seasoned before any portion of said timber or lumber be employed in the works. All portions of timber, joist, bracket, or wood, which either rest on or are built in the walls, shall have a coat of tar, or other composition that may be required for the preservation of said timbers.

SHEATHING, ETC.

The entire roofs are to be sheathed with one and a half ($1\frac{1}{2}$) inch tongued boards, to be securely nailed to each rafter, and no board to exceed eight (8) inches in width. The water ways are formed as shown on the drawings, with a proper descent to the conductor pipes. The dome to be sheathed with inch boards, each course to fit the curve of the dome, and no board to exceed eight (8) inches in width, and to be tongued and grooved, and all head joints to be under the ribs, and to be alternately broken, and to be securely nailed to each rib. The furring forming the ribs are to be of the required forms, and to be secured on the top of the ceiling. All of said sheathing boards are to be of Oregon or Puget Sound lumber, clear from all sap or other defects, and to be thoroughly seasoned before placed on the roofs.

FLOOR, TILING, AND MARBLE WORK.

All the floors throughout the building, except those hereinafter otherwise specified, are to be laid with encaustic tiles; they are to be solidly bedded in cement mortar, and set true and level to a perfect joint, which is to be filled solid with cement mortar. The tiles to be of various colors, and to be so arranged as to present an ornamental appearance; those for the rotunda floor to be formed and laid so as to radiate from an ornamental center, and to terminate with a border around the walls of the room.

All the portico floors to be laid with marble tiles, and the joints are to be so cut as to make all the joinings and arrises perfect in every respect; and said tiles to be laid in cement mortar, in the manner as described for the encaustic tiles.

The steps ascending to the Judges' desk in the Supreme Court Room, and those for the desks of the President of the Senate and Speaker of the Assembly, are to be formed of marble, the fronts to be neatly moulded, and to be continued around the base of the platforms. The floors of the eight (8) niches in the rotunda are to be cut in marble, each floor to be in one piece. All of said marble is to be of the best quality, to be neatly cut and polished, and set and secured in the best manner.

The gallery floors in the Senate Chamber, Assembly Hall, and Library Room are to be laid with one and a half ($1\frac{1}{2}$) inch Puget Sound flooring boards. They are to be tongued and grooved, and no board to exceed four (4) inches wide, the risers to the grades to be neatly moulded, and the lumber to be clear of all sap or other defects, and to be thoroughly seasoned, and all to be securely nailed to the floors, and to be smoothed to an evenness on the top sides.

WAINSCOTING.

All the rooms and halls in the basement story, (excepting those for wash room, stationery, closets, and vaults,) also all the rooms and halls in the principal story, (excepting the portion forming the alcoves of the Library,) and all the halls and galleries in the second story, are to be wainscoted to the height of the windows, with neatly moulded panel work, and to have a neatly moulded base averaging thirteen (13) inches high, and a neatly moulded cornice. The backs of the panels are to be formed with one and a quarter ($1\frac{1}{4}$) inch planks. The rails forming the panels are to be one and a half ($1\frac{1}{2}$) inches thick, and to be morticed and tenoned, glued, and keyed in the best manner. The panels to be screwed on to the backs of the frames, and the mouldings to be glued into their positions, and of said wainscoting—including base and cornice—is to be returned around the piers forming pedestals, also through the archways and under the windows, and to be continued up the stairs, and all to be secured in the most approved manner.

ARCHITRAVES FOR DOORS AND WINDOWS.

All the door frames throughout the interior of the building are to be formed with moulded panels to correspond with the doors, the styles and rails to be of two (2) inch plank, framed in the best manner. All the doors in the basement and principal stories are to have semicircular heads, the soffits to be formed in two (2) panels. The frames in the second story are to have square heads, formed in the same manner as the jambs, and to have two (2) moulded panels in each. All of said doors are to have neatly moulded imposts dividing the doors from the transom sashes. The frames for all of the vaults and closet doors are to be framed and formed of two (2) inch plank—those for the water closets to have moulded transoms. The architraves throughout the basement and principal stories, with the exception of the closet doors not connecting with the rooms, are to have a portion of the architraves of the same circle of the tops of the doors and windows, and the remaining portions to form a square head, and the spandrels to be neatly moulded. All the architraves through the basement and principal stories, (excepting those for the closets,) are to be twelve (12) inches wide, with double face, and moulded in the best manner, and all to have a base at the bottom resting on the pedestal. All the doors are to have a neatly moulded cornice over the architraves. The architraves for the second story are to be ten (10) inches wide, with the exception of the double doors, which are to be eleven and a half ($11\frac{1}{2}$) inches wide, and all to be formed with double face, and to be neatly moulded. The sides of all the doors facing the halls are to have neatly moulded cornices over the architraves. There is to be a seven (7) inch neatly moulded architrave on the closet doors. All of said doors and windows are to be completely finished, in strict accordance with forejoined description. For a full illustration, detail drawings will be furnished, showing the forms and the manner of their construction, and the work is to be executed in strict conformity thereto.

EXTERIOR DOORS.

There are to be seven (7) exterior entrance doors. Six (6) are to be double doors of the following dimensions: One pair in the basement story are to be ten (10) feet wide and twelve (12) feet high; and four

(4) pair nine (9) feet six (6) inches wide and twelve (12) feet high; and one (1) single door five (5) feet two (2) inches wide, and eleven (11) feet nine (9) inches high—and all to be formed of oak two and a quarter ($2\frac{1}{4}$) inches thick, and each door to have eight (8) neatly moulded panels. All of said exterior doors are to have transom sashes of a circular form, the sashes to be of iron, as hereinbefore specified. There is to be one pair of entrance doors—from the portico to the principal story—ten (10) feet wide and sixteen (16) feet high, and two and three quarters ($2\frac{3}{4}$) inches thick, and to have eight (8) moulded panels to each door. The four central panels are to have a circular panel at their intersection, to be filled with an ornamental rosette cut of oak. The oak for their construction is to be of the best quality, clear from all knots, sap, or other defects, and to be thoroughly seasoned; and all panels, mouldings, and tenons are to be glued in the best manner.

INTERIOR DOORS, AND TRANSOM SASHES.

There are to be forty-three (43) interior doors, (in the basement story,) four (4) feet four (4) inches wide, and (10) feet and six (6) inches high; also, two pairs of double doors, one pair to be seven (7) feet eight (8) inches wide, and one six (6) feet eight (8) inches wide, and both to be ten (10) feet six (6) inches high. All of said doors to be formed of not less than two and one-eighth ($2\frac{1}{8}$) inches thick, and formed in eight (8) moulded panels to each, and all to have transom sashes one and seven-eighths ($1\frac{7}{8}$) inches thick. There are to be nine (9) doors three (3) feet three (3) inches wide, and ten (10) feet six (6) inches high, formed in eight (8) moulded panels to each, to be two (2) inches thick, and to have a panel on one side over the doors of the same height of the transom sashes. There are to be ten (10) closet doors, eight (8) of which are to be three (3) feet six (6) inches wide, seven (7) feet six (6) inches high, two (2) inches thick, and to have six (6) panels to each—the four (4) bottom panels to be moulded, and the two (2) top panels to be glazed, and all to have transom sashes.

There are to be three (3) doors in the basement story, three (3) feet six (6) inches wide, ten (10) feet six (6) inches high, two (2) inches thick, and to be formed in eight (8) moulded panels, and to have panels on one side in place of the transom sashes.

PRINCIPAL STORY DOORS.

There are to be sixteen (16) doors in the principal story, four (4) feet four (4) inches wide, by eleven (11) feet high; and ten (10) doors four (4) feet two (2) inches wide and eleven (11) feet high; also, two (2) doors three (3) feet six (6) inches wide, and eleven (11) feet high; and four (4) doors three (3) feet two (2) inches wide, by eleven (11) feet high; also, two (2) pairs of double doors seven (7) feet wide, eleven (11) feet high, and all to be formed in eight (8) moulded panels to each, and to be two and one eighth ($2\frac{1}{8}$) of an inch thick, and all to have transom sashes excepting the four (4) vault doors; said sashes to be one and seven-eighths ($1\frac{7}{8}$) of an inch thick. The four vault doors are to have panels over the doors on one side in place of the transom sashes.

SECOND STORY DOORS.

There are to be twenty-two (22) doors in the second story—each door

to be three (3) feet six (6) inches wide, and ten (10) feet high; they are to be formed in six moulded panels two (2) inches thick; also, two (2) double doors six (6) feet eight (8) inches wide and ten (10) feet high, by two and a quarter ($2\frac{1}{4}$) inches thick; they are to be formed in six (6) moulded panels to each; two (2) of said doors are to have transom sashes, and the two (2) closet doors are to have a panel on one side in place of the transom sash. All of said doors throughout the interior of the building are to be formed of clear white pine, free from all sap, knots, or other defects, and to be thoroughly seasoned, and the workmanship to be of the best quality, and all the tenons and mouldings to be glued in the best manner.

STAIRS.

There are to be (4) flights of stairs from the basement floor to the second story floor; those from the basement to the principal story are to contain forty (40) steps, making the rise of each step six and seven sixteenths ($6\frac{7}{16}$) inches. Those from the principal to the second story are to have thirty-nine (39) steps; the risers will be a fraction less than six and five sixteenths ($6\frac{5}{16}$) inches. Each of said flights of stairs are to have a landing midway of their height, eight (8) feet wide. The steps are to be one and a half ($1\frac{1}{2}$) inches thick, and the risers to be one and a quarter ($1\frac{1}{4}$) inches thick, and all to be tongued and grooved, blocked and glued, in the best manner, and to be housed, keyed, and glued into wall skirtings formed of two (2) inch plank, which is to be secured over the wainscoting—which is to be continued up the stairways. The front strings are to be formed of two and half ($2\frac{1}{2}$) inch plank, to be opened and moulded, and the risers to be finished with an ornamental bracket returned on the face string and continued around the wells. All of said steps are to be supported on three strings, between the wall and front strings, and be chalked and secured on each string in the most approved manner, and the soffits to be furred for the reception of the plastering, as may be directed. Each flight of steps is to have an octagon newel at the bottom, twenty (20) inches in diameter; also, newels on all the platforms and around the wells—they are to be of octagon form and eleven (11) inches in diameter; all of said newels are to have moulded panels on all their sides, and to be moulded, caps and bases. The rails are to be five (5) by seven and a half ($7\frac{1}{2}$) inches, and to be neatly moulded. There are to be two (2) ornamental balusters to each step, to be continued around the wells at the same distance apart as those on the steps, all of said balusters to be four (4) by four (4) inches. All of the steps, risers, face strings, brackets, newels, balusters, and rails, are to be formed of the best quality of oak, free from all knots, sap, or other defects, and to be thoroughly seasoned—and all the work to be executed in the best manner, and in strict accordance with the detail drawings which will be furnished for the same. There are to be two (2) flights of stairs from the first to the second story of the Library; they are to be arranged in every respect as shown on the plans; the steps are to be one and three eighths ($1\frac{3}{8}$) inches thick, and the risers one (1) inch thick, and to be housed into two (2) inch wall skirtings; they are to have an opened and moulded front string, and the risers to be finished with ornamental brackets to be continued around the wells; the wainscoting of the rooms to be continued up the stairs. They are to be supported on two (2) strings between the walls and front string. Each flight is to have an eleven (11) inch octa-

gon newel, and a neatly moulded rail three and a half ($3\frac{1}{2}$) by four and three quarters ($4\frac{3}{4}$) inches, to be continued around the wells, and to be supported on two (2) balusters in the straight steps, and one to the steps in the circular portion; the balusters are to be continued around the wells; all the balusters are to be three (3) by three (3) inches, and to be fancy turned. The steps, risers, string boards, rails, newels, and balusters, to be formed with oak in the same quality in every respect as specified for the main steps.

There is to be a flight of steps from the second story floor up to the colonnade floor around the cupola; they are to be formed of one and a quarter ($1\frac{1}{4}$) inch hard wood steps, and one (1) inch risers, and to be supported on three (3) strings cut from three (3) inch plank, and to have a base board on each side; the nosings of the steps to be moulded, and to have a neatly moulded rail on one side of the stairs formed of oak, and to be two and three quarters ($2\frac{3}{4}$) by three and three quarters ($3\frac{3}{4}$) inches, and to be secured to iron brackets in the best manner. There are to be a flight of stairs on the inside of the cupola, from the springing line of the interior ceiling of the rotunda up to the floor or top of the ceiling of the rotunda, and to have steps and risers to be constructed in every respect the same as described for those of the first floor of the colonnade around the dome—with the exception of the rail, which is to be supported on two (2) inch balusters. There is to be a floor over the ceiling of the rotunda, formed as shown on the plans and section of the cupola, the floor to be laid one and a quarter ($1\frac{1}{4}$) inches, tongued and grooved, of hard, Puget Sound flooring boards.

INTERIOR COLUMNS, PEDESTALS, AND WOOD CORNICES.

There are to be seventy-four (74) columns, two (2) of which, in the Court Room, are to be Roman Doric, thirteen feet high, including base and capital. In the first story of the Library Room there will be twelve Ionic columns fifteen (15) feet high, and in the second story there will be fourteen (14) Corinthian columns eleven (11) feet high. In the Senate Chamber there will be twenty (20) Ionic columns fifteen (15) feet high in the first story, and four (4) Corinthian columns twelve (12) feet high in the second story. In the first story of the Assembly Hall there are to be twelve (12) Ionic columns fifteen (15) feet high, and in the second story twelve (12) Corinthian columns twelve (12) feet high; all of said heights includes bases and capitals.

All of said columns, bases and capitals, (fifteen feet high,) are to be formed of three (3) inch Eastern white pine plank of the best quality, and all of said columns are to be formed in twelve (12) staves, to be glued and blocked in the best manner, and each to have twenty-four (24) flutes. All the bases, both for the columns and pilasters, are to be glued up in thicknesses to correspond with the members, and to be turned in the best manner. All the capitals, both for the columns and pilasters, throughout the Library, Senate Chamber, and Assembly Hall, are to be neatly cut in accordance with the detail drawings which are to be furnished, and the material to be of the best quality of clean Eastern white pine. There are to be, in the first story of the Senate Chamber, eighteen (18) Ionic ante caps, two (2) to be for the corners, showing two (2) faces. There are to be thirty-two (32) Corinthian caps in the second story, four (4) to be corner caps showing two (2) faces. There are to be ten (10) Ionic ante caps in the first story of the Assembly Hall, two for the corners and to have two (2) faces. There will be twenty-six (26) Corin-

thian ante caps in the second story, two (2) of which are to be for corners with two faces. There are to be fourteen ornamental brackets under the side galleries in the Assembly Hall, to be the same width as the pilasters; all of said columns and pilasters throughout the building are to have pedestals on the bottom, the dyes to be formed with neatly moulded panels; the bases and cornices are to be of the same form as those of the wainscoting, with which the pedestals of the pilasters form a connection. There are to be sixteen (16) Corinthian pilaster caps, and fifty-five (55) keystones in the interior of the building, all of which are to be carved to the required form, and all the capitals and keystones hereinbefore specified are to be cut from clear Eastern white pine.

The first story cornices, including all its members, both friese, architrave, and soffits, in the Senate Chamber, Assembly Hall, Library, and all the soffits, are to have moulded panels. The rails in front of the galleries in the Senate Chamber, Assembly Hall, and around the well in the second story floor of the Library, are to have the bases and cornices of the pedestals continued around the entire fronts, and the panels formed between said pedestals are to be ornamented with carved work, as shown on the section of the Library. Those for the front of the galleries are to be open in the centre of the panels, and the carved work to correspond therewith. All of said carved work is to be cut from clear Eastern white pine. The balustrade and cornice around the gallery in the rotunda, and the top mouldings of the cornice, are to be formed of wood, and secured to the cast iron plate forming the architrave. There are to be sixteen pedestals—the front to have a moulded panel, and the base and cornice to be moulded and formed of oak. The balusters are to be formed of eight (8) inch clear white pine, and to be neatly turned to the required plan, and to be executed in accordance with the plans, and to be secured in the most approved manner.

WOOD WORK IN THE LIBRARY ROOM.

The partitions forming the alcoves of the Library are to be formed with studding two and a half ($2\frac{1}{2}$) by four (4) inches, and all to be made to one width, and to be so placed as not to exceed twelve (12) inches from centres; and all portions of said partitions that are to be shelved are to be ceiled with inch boards; the shelves are to be formed with one and a quarter ($1\frac{1}{4}$) inch plank, and to be grooved on both top and bottom, and the ceiling to be tongued into both top and bottom of the shelves; the ceiling boards are to be tongued and grooved, and no board to exceed six (6) inches wide, and the joints to be beaded, and all to be securely nailed to the joist, and all joints to be smoothed true and even.

The shelves are to extend around all portions of the alcoves, with the exception of the apertures; the bottom shelves to be raised to the height of the plinth of the base in the rooms, and from thence upwards to the top there is to be thirteen (13) shelves in height in the first story, and eleven (11) in the second story; the distance between the various shelves to be arranged as may be required.

There are to be partitions between the shelves; they are to be so placed as not to exceed four (4) feet apart, and all to be covered with a neatly moulded architrave to extend up all of said divisions and terminate in a cornice, which is to extend around the alcoves at the ceiling line. The ends of all the shelving at the windows are to be inclosed with neatly moulded panel work. All of said shelving, ceiling, and

supports between the shelves, are to be formed of Port Orford cedar, to be perfectly clear from all sap, knots, or other defects, and to be thoroughly seasoned before using in any portion of the works.

SKYLIGHTS AND LANTERN.

There are to be two skylights over the halls in the second story; the sashes in the ceiling are to be five (5) feet six (6) inches in diameter, and to be raised four (4) feet above the ceiling line, and to have a cove from the line of the ceiling to the sash, the cove to be formed with moulded panels, and to have a cornice around the top and bottom; the bottom cornice to terminate on the ceiling with an ornamental architrave. The space between the circular sashes in the ceiling and iron sashes in the roof are to be ceiled with tongued and grooved boards of the form and size of the sashes in the roof, which are to be formed in two (2) parts, one on each side of the ridge, and each sash to be two (2) feet four (4) inches by six (6) feet; the sashes and frames are to be formed of iron.

There is to be a lantern at the apex of the dome ceiling; it will be twelve (12) feet in diameter and (12) feet high, and to have eight (8) sashes, divided by neatly panelled pilasters, with Corinthian caps, and neatly moulded architraves around the windows; and to have a cornice at the top, and an ornamental ceiling, and a cornice and architrave at the line of the ceiling of the dome.

DESKS.

The desks in the Senate Chamber, Assembly Hall, and Supreme Court Room, are to be formed as shown on the drawings; the panels in the pilasters and caps, and mouldings in the cornice, are to be carved; all portions of said desks are to be formed and the work executed in strict conformity with the detail drawings which will be furnished when required. All of said desks, which will be six (6) in number, are to be formed of San Domingo mahogany, and of the best quality.

TANKS, WATER CLOSETS, ETC.

There are to be ten (10) water closets, arranged as shown on the basement plans; all the seats are to be fitted up with covers hung with brass hinges, the seats to be formed with mahogany, and the fronts to have moulded panels. There are to be wash basins fitted up in the room adjoining the water closets in the rear of the building, also one in each of the closets under the stairs. There are to be distributing tanks over the closets, supplied from the tanks under the roof.

There are to be two (2) tanks under the roof, to contain fifteen thousand (15,000) gallons each; they are to be supplied from the rain water from the roof, the tanks to be formed with three (3) inch heart redwood plank, which is to be supported on strong truss beams, and clamped with six (6) by eight (8) inch timber, to be so arranged as not to exceed four (4) feet apart; all the timber and planking to be planed, and the joints filled with white lead, also, the inside to have two coats of paint before the lead linings are put on, which linings will be hereinafter specified under the heading of plumbery.

ROOFING.

All the gutters around the building, also for two (2) conductors from the roof of the colonnade, around the dome, are to be formed of twenty-three (23) pound copper, and all other portions of the roof and dome, and roofs and floors of the colonnade around the dome, are to be covered with twelve (12) pound sheet copper, and all to be secured to the roof boards in the most secure and approved manner. All the joints are to be locked together, and those extending from the gutters to the ridge of the roofs are to have double standing joints, and all to be soldered in the best manner, for which no acid shall be used, but rosin only.

LATH AND PLASTERING.

All the ceilings throughout the entire building, including the ceilings of all the porticos, also all interior walls and partitions throughout the basement, principal and second stories, and the rotunda, are to be plastered in the rooms and halls that are wainscoted; the plastering to be from the top of the wainscoting to the ceiling; and in the rooms not specified to be wainscoted, to be plastered from the base up to the ceiling. The ceilings under the galleries, around the rotunda, and around the Senate Chamber, Assembly Hall, and Library Room, and all the ceilings hereinbefore specified to be panelled, are to have mouldings of such forms as may be required. All the wood ceilings and bracketing throughout the entire interior of the building, including a portion of the partitions in the Library Room, are to be overlaid with pine laths, to be clear from all sap or other defects, and to be three eighths ($\frac{3}{8}$) of an inch thick, and not to exceed one (1) inch wide, and to be securely nailed to each piece of furring and brackets, the joints to be alternately broken in every eighth (8th) lath, and the spaces between the laths to be not less than three eighths ($\frac{3}{8}$) of an inch in any instance.

CEMENT WORK.

The ceilings of all the porticos, also the ceiling of the colonnade throughout the dome, and under the gallery around the interior of the dome, and all walls in the halls or corridors in the basement, principal and second stories, are to be plastered with the most approved cement mortar, the cement to be thoroughly manipulated in proper proportions of clean sharp sand, and to be applied to the walls immediately after mixing, and to be troweled to a firm surface. All the sand is to be washed clean in running water, and to be well dried before mixing with the cement; all of said mortar is to be applied to the walls in two coats or layers, and to be made perfectly true and smooth on the surface. All the plain mouldings in the panels or other portions connected with said cement work are to be neatly and smoothly run with a mould formed of metal. All other portions of brick walls and ceilings throughout the entire building are to be plastered with three coats of mortar, both brick walls and lathed ceilings; the two (2) first coats are to be well haired brown mortar, formed with sharp sand, which is to be first screened, and then washed clean in running water, and to be well dried before mixing. The lime to be from Cave Valley, and of the best quality, and in no case shall air-slaked lime be used; the proportions of lime and sand are to be as may be directed, and after the lime is slaked, it is to be protected from the sun and winds. The first coat is to be a scratch

coat, and the second coat to be floated true, plumb, and even, in every respect; the third coat is to be treated in the same manner, with the exception of the hair, which is to be omitted, and white sand is to be procured, if possible, or the lightest color that can be got, and the plaster to be made perfectly smooth, and have an even surface when finished.

All the plain mouldings throughout the interior of the building, not hereinbefore specified, are to be neatly run with moulds formed of copper, and to be made in every respect to correspond with the detail drawings, which will be furnished as required.

STUCCO WORK.

All ornamental work throughout the interior of the building, not hereinbefore otherwise specified, is to be cast in plaster of Paris, and the forms to be the same as those on the sections and the details, which will be furnished. All the cornices formed of mortar are to have three (3) ornamental mouldings, and all the moulded panels in the ceilings are to have ornamental mouldings.

There are to be ornamental centres in each room throughout the building, and to be of an average size of four (4) feet six (6) inches in diameter.

The architraves over the apertures in the rotunda, and mouldings in the panels of the arches in the basement story, also all the keystones not hereinbefore specified, are to be formed of stucco, and to be ornamented, as shown on the plans.

GROUND.

There are to be grounds seven eighths ($\frac{7}{8}$) by three (3) inches, arranged around all the doors and windows, also for the base and wainscoting, for the reception of the plastering; they are to be placed in their positions perfectly true and even, and secured to the walls in the best manner.

PAINTING AND VARNISHING.

All the cement work on the walls of the rotunda and halls, also the ceilings of the porticos, are to have two (2) coats of boiled linseed oil, and four (4) coats of paint; the ceilings of the porticos are to be sanded in the last two (2) coats, and colored in imitation of granite. All other portions of the cement plastering to be made of such color or tint as may be required. All the oak work is to have four coats of varnish, the three (3) first coats to be rubbed to a smooth surface in the most approved manner. All the copper on the roof and dome are to have three coats of paint, and to be made of such color as may be required.

All other portions of the wood work throughout the entire building, except the cedar shelving in the library, are to have four (4) coats of paint, and to be made of such color or tint as may be required.

GLAZING.

All the sashes throughout the building, including the skylights and lanterns, are to be glazed with the best quality of "crown glass." The glass for the skylights in the ceilings and lanterns are to be of crown glass of an ornamental pattern, and to be bedded and front puttied in the best manner, and the putty to be of the best description. All the

glass is to be bradded to the sashes, and the iron sashes are to have holes in the bars and brass pins inserted; all of said glass must be clear from all flaws or stains, and on the completion of the works, to be cleaned, and each light to be left perfect.

IRONMONGERY.

All the exterior double entrance doors are to be hung with silver plated hinges, to be of a suitable size, and the doors in the second story are to have four hinges to their height, and those in the basement story to have three hinges to their height; each pair is to be secured with silver plated flush bolts, set in the edges of the doors, and the top bolts to be of sufficient length to extend down to seven (7) feet from the floor.

The locks are to be eight (8) inch mortice front door locks, with silver plated furniture. All other doors exceeding seven (7) feet in height are to have three (3) lift-joint hinges, and all others to have two (2) to their height; they are all to be of a suitable size and of the best quality. The double doors are to have flush brass faced bolts, the top bolts to be of sufficient size, not to exceed seven (7) feet from the floor. All of said doors (except those in the closets,) are to be secured with six and a half ($6\frac{1}{2}$) inch mortice locks; the closet doors to have five (5) inch mortice locks, and all to have white porcelain furniture and knobs. All of said locks, hinges, and bolts, are to be of the best quality of American manufacture.

PLUMBERY.

All the water reservoirs under the roof are to be lined with seven and a half ($7\frac{1}{2}$) pounds sheet lead, and the water closets are to be lined with six (6) pounds sheet lead. The two (2) reservoirs under the roof are to be supplied with water from the roof gutters; there are to be a supply and waste pipe from the water gutters of the roof to the reservoirs. The supply pipe to be two (2) inch calibre, the weight to be twenty-three (23) pounds to each yard; the waste pipe to be two and a half ($2\frac{1}{2}$) inches calibre, and the weight to be thirty (30) pounds to the yard. The reservoirs over the water closets are to have a supply pipe of one and a half ($1\frac{1}{2}$) inches calibre, and the weight to be nineteen (19) pounds to the yard; each reservoir is to have a floating ball valve, and each of said reservoirs is to have a waste pipe two and a half ($2\frac{1}{2}$) inches calibre extending to the sewers below, the weight to be twenty-five (25) pounds to the yard. There are to be pipes one and three quarters ($1\frac{3}{4}$) inches calibre, weighing twenty (20) pounds to the yard; there are to be two (2) in each story, and each to have a large brass ground draw-cock; they are all to be placed in closets near the halls. There are to be ten (10) water closets in the basement story, arranged as shown on the plans, and to be fitted up with the best quality of patent house closet, and to be supplied with all the modern improvements, and all the work to be executed in the best manner. There are to be eight (8) wash basins, to have one half ($\frac{1}{2}$) inch supply pipes, and three quarters ($\frac{3}{4}$) inch waste pipe to the sewers; the basins and fixtures are to be of the best quality now in use, and all to be set in marble tops, and to be neatly eased between the marble and floors. All the rooms throughout the building are to be heated with steam. There is to be a boiler set in the cellar of sufficient capacity for warming all the rooms that may be necessary to heat at the same time; the steam is to be conducted from the boiler in iron

pipes; the conducting pipes up to and through the halls in each story, are to be three and a half ($3\frac{1}{2}$) inches calibre, and the iron to be three sixteenths ($3\text{-}16$) of an inch thick; the distributing pipes for the Senate Chamber and Assembly Hall are to be two and three quarter ($2\frac{3}{4}$) inches calibre, and the iron to be five thirty-seconds ($5\text{-}32$) of an inch thick; all other distributing pipes are to be of two (2) inch calibre, and the iron to be one eighth ($\frac{1}{8}$) of an inch thick.

The steam is to be concentrated at two points in the Senate Chamber and Assembly Hall, and at one point in all other rooms. There are to be copper pipes of the same calibre as the distributing pipes, and to be three thirty-seconds ($3\text{-}32$) of an inch thick; they are to be set in coils in the reflectors, in such quantities as may be deemed necessary for the heating. The front of all the heaters are to be covered with an ornamental grating, to be either brass or bronzed iron; all those which are built in walls are to have marble mantles, and in the basement and second stories are to be of the best quality, and all to be constructed in accordance with plans that will be furnished.

GAS PIPES.

All the rooms and halls throughout the building are to be lighted with gas. The supply pipes are to be two (2) inches calibre, and the distributing pipes for the Senate Chamber and Assembly Hall are to be one and one eighth ($1\frac{1}{8}$) inches calibre, and for all other rooms and halls three quarter ($\frac{3}{4}$) inch calibre. The Senate Chamber, Assembly Hall, and Rotunda are to be lighted from the top of the main cornice, having the burners distributed around the halls, and the light thrown into the rooms by means of reflectors.

The rooms and halls are to be lighted from the centres of their ceilings, and the lights to be placed at a proper distance from each other; the Clerks' offices, and all others that may be deemed necessary, to have side lights for all the desks. All of said gas pipes are to be of the best quality, and workmanship in setting to be of the best description, where and in such positions as may be required.

ROOMS, HALLS, ETC., OF BASEMENT STORY.

The building contains the following rooms:

The Governor's offices are three (3)—one (1) twenty-six (26) by thirty (30) feet, one (1) twenty-two (22) by twenty-six (26) feet, and one (1) sixteen (16) by sixteen (16) feet. The Secretary of State's offices are two (2) and a vault—one (1) twenty-six (26) feet six (6) inches by twenty-seven (27) feet, and one (1) twenty-four (24) feet by twenty-six (26) feet six (6) inches; vault, twelve (12) by seventeen (17) feet. The Controller's offices are two (2) and a vault—one (1) twenty-six (26) by thirty (30) feet, one (1) twenty-two (22) by twenty-six (26) feet, and vault eight (8) by sixteen (16) feet. The State Treasurer's offices are two (2) and a vault—one (1) twenty-seven (27) by twenty-six (26) feet six (6) inches, and one (1) twenty-four (24) by twenty-six (26) feet six (6) inches; vault, twelve (12) by seventeen (17) feet. The Attorney-General has two (2) offices—one (1) twenty-two (22) by twenty-six (26) feet six (6) inches, and one (1) sixteen (16) by twenty-six (26) feet six (6) inches. The Surveyor-General has three (3) offices, [all connected—two (2) with double doors,] and a vault—two (2) offices are fifteen (15) by twenty-six (26) feet six (6) inches, and one (1) fifteen (15) feet six (6)

inches by twenty-six (26) feet six (6) inches; vault, seven (7) feet six (6) inches by eighteen (18) feet. The Superintendent of Public Instruction has one (1) office sixteen (16) by twenty-six (26) feet six (6) inches, and a closet four (4) by eight (8) feet. There are five (5) Supreme Judges' Chambers—one (1) twenty-one (21) by twenty-six (26) feet six (6) inches, two (2) sixteen (16) by twenty-six (26) feet six (6) inches, and two (2) fifteen (15) by twenty-six (26) feet six (6) inches; there will be a closet attached to each of two (2) rooms, four (4) by eight (8) feet. There is a Secretary's office adjoining the Judges' Chambers, fifteen (15) by twenty-six (26) feet six (6) inches, and a vault six (6) by eleven (11) feet. The Clerk of the Supreme Court has two (2) offices and a vault—one (1) thirty-four (34) by twenty-six (26) feet six (6) inches, one (1) sixteen (16) by twenty-eight (28) feet; vault, six (6) by eleven (11) feet, and closet four (4) by ten (10) feet. The Supreme Court Room is thirty-four (34) by fifty-eight (58) feet, exclusive of the lobby and entrance vestibule. The lobby is eleven (11) by twenty-three (23) feet, and the vestibule is ten (10) by twenty-two (22) feet. There is a Library adjoining the Court Room, sixteen (16) by twenty-six (26) feet six (6) inches. There is a Reporters' room adjoining the Library, sixteen (16) by twenty-six (26) feet six (6) inches, and closet four (4) by ten (10) feet. There is a stationery and wash room, each nine (9) by eighteen (18) feet; also, ten (10) water-closets. The halls are sixteen (16) feet wide. The rotunda fifty-four (54) feet six (6) inches in diameter. The front vestibule [in which there are two (2) staircases] is twenty-one (21) by seventy-four (74) feet. The height of the rooms in the basement story is twenty (20) feet between floors and ceilings.

PRINCIPAL AND SECOND STORIES.

The Senate Chamber is sixty (60) by seventy-two (72) feet, with a gallery around three (3) sides. The Assembly Hall is seventy-two (72) by eighty-two (82) feet, with a gallery around three sides, and each of the halls is forty-six (46) feet from floor to ceiling.

The Library Room is fifty-eight (58) by sixty (60) feet, and from floor to highest point of ceiling, is forty-six (46) feet. It has a well in the second story floor twenty-eight (28) feet in diameter, and alcoves for shelving for the books on each floor.

There are fourteen (14) rooms in the principal story, and two (2) vaults, intended for the archives of the Senate and Assembly. The rooms are designed as follows: two (2) rooms adjoining the library, one for the Librarian, fifteen (15) feet six (6) inches by twenty-seven (27) feet six (6) inches, and one for reading room, sixteen (16) by twenty-seven (27) feet six (6) inches; each of these rooms has a closet four (4) feet six (6) inches by ten (10) feet. The remaining rooms in the south end, being nearest to the Senate Chamber, are: room for Sergeant-at-Arms, sixteen (16) by twenty-six (26) feet; Secretary of the Senate's room, twenty-two (22) by twenty-six (26) feet; Assistant Secretary's room, twenty-six (26) by thirty (30) feet; Engrossing Clerk's room, twenty-four (24) by twenty-eight (28) feet; Enrolling Clerk's, twenty-seven (27) by twenty-eight (28) feet; Pages' room, fifteen (15) feet six (6) inches by twenty-seven (27) feet six (6) inches. In the north end of the principal story the rooms are as follows: Sergeant-at-Arms' room, nineteen (19) by twenty-two (22) feet; Clerk's office, twenty-five (25)

feet six (6) inches by thirty (30) feet; Enrolling Clerk's office, twenty-seven (27) by twenty-eight (28) feet; Engrossing Clerk's office, twenty-three (23) feet six (6) inches by twenty-eight (28) feet; Pages' and Porers' room, fifteen (15) feet six (6) inches by twenty-seven (27) feet; Committee room, sixteen (16) by sixteen (16) feet, and two vaults, twelve (12) by seventeen (17) feet each. The halls are sixteen (16) feet wide. There are seventeen (17) Committee rooms in the second story, averaging fourteen (14) by twenty-eight (28) feet each. Also a room intended for a Museum, twenty-three (23) by seventy-three (73) feet. The vestibule is twenty-one (21) by seventy-two (72) feet, and the halls sixteen (16) feet wide.

GENERAL CONDITIONS.

All of the various materials used and employed in the erection of the aforesaid building are to be of the best quality. The whole of the works are to be properly and effectually executed to the true intent and meaning of this specification, and plans, sections, and elevations, for said works; and should anything appear to be omitted in either or both which is usual or necessary for the completion of the works, the same is to be executed as if it had been particularly described.

All the wainscoting, base, and doors, throughout the entire building, are to be formed of the best quality of oak, which must be thoroughly seasoned, and clear from all sap, knots, stains, or other defects. All other finishing lumber is to be of the best quality of clear Eastern white pine, to be well seasoned, and clear from all knots, sap, or other defects. The floor boards are to be of the best quality of Puget Sound pine, clear from all knots, sap, or other defects, and to be thoroughly seasoned. All the framing timber, roof sheathing, ceiling joist, and bracketing, are to be of the best quality of Puget Sound or Oregon pine, free from all sap or other defects, and to be thoroughly seasoned before using in the work. Detail drawings will be furnished, from time to time, as the work progresses, illustrating the various parts and the manner of their construction, and the works are to be executed in strict accordance with said drawings in all cases. Should the Commissioners see fit to make any alterations during the progress of the works, for labor or materials, either in the way of additions or deductions, such alterations shall not in any way vitiate or make void any contract, but shall be performed by such contractor or contractors, and the value of the same be ascertained by the Commissioners, and added to or deducted from the amounts of said contracts, agreeable to the prices of said contract or contracts, and the Commissioners' award in such cases shall be final.

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SACRAMENTO,
February 29th, 1864. }

The estimate cost of the completion of the State Capitol Building, submitted by me on the twenty-seventh instant, was based on the specifications accompanying said estimate, and the present prices of materials and labor. Should there be no deviations from the specifications in any portion of the works, and the materials procured in the manner which I have designed, I am fully confident that I can construct the building in

accordance with said specifications and accompanying report. The estimate and cost of the building was based on United States coin, to commence from date.

REUBEN CLARK.



Sworn to and subscribed before me, this twenty-ninth day of February, A. D. eighteen hundred and sixty-four.

[*Stamp.*]

JULIUS WETZLAR,
Notary Public.

PETITION FROM G. A. SHURTLEFF,
President of the Board of Directors
OF THE
INSANE ASYLUM.

O. M. CLAYES.....STATE PRINTER.

P E T I T I O N .

Hons. Samuel Myers, J. E. Perley, and E. H. Miller :

GENTLEMEN :—I desire to lay before you certain facts concerning the insane of California. I address myself to you particularly, because we hold the relation of constituent and representative. A sense of duty imposed on me by my official connection with the Insane Asylum prompts me to this course. It is my belief that the reputation of the Asylum, to the discredit of the State, has suffered from misrepresentations—that groundless rumors have been taken for truth, and that superficial observations have been made the basis of assertions and action which should be founded only on the results of faithful and impartial investigation.

The Senate Journals of a former session erroneously exhibit the institution in the inconceivably disgraceful plight of being able, during one year, to show only five per cent of cures on the number of its inmates. A *National work* of general circulation, repeats to the world the official hyperbole that it “is only a prison.” And the Assembly of this year represents that the “statistics of the Asylum at Stockton show a smaller percentage of cures than at any other institution of the kind in the United States.” Its location, too, is assailed, and compared in unhealthfulness to the pestilent miasma of the Pontine Marshes of Italy, or the deadly exhalations of the dank borders of the Ganges. The State has nothing to gain by the wrongful denunciation of its own component parts; and they are misguided guardians of her institutions who are more prone to disparage than to uphold them.

I will now present, as briefly as possible, a history of the commencement and increase of insanity in this State, the provision which has been made for its treatment, together with the result.

In eighteen hundred and fifty, the insane had accumulated chiefly in the City of San Francisco, and were under treatment at the Marine Hospital, or were temporarily confined on the “Brig,” and numbered twenty-two.

In eighteen hundred and fifty-one, the State Hospital at Sacramento received and provided for thirty-four; and the Insane Department of the General Hospital in Stockton admitted thirteen, making forty-seven.—(*Sup. Rep.*, 1855.)

In eighteen hundred and fifty-two, all the insane in the State were di-

rected by the Legislature to be sent to the State Hospital at Stockton, for treatment. This year what is now the south wing of the present Asylum building was erected. It was then regarded as a large and beautiful structure. The State Census Agent of that year, in his returns, says "it is an ornament to the State." It was a General Hospital.

In eighteen hundred and fifty-three, the Legislature abolished the General Hospital system, and established the "Insane Asylum of California" in or near the City of Stockton. Since the spring or summer of eighteen hundred and fifty-two, then, all the insane of the State have been kept at Stockton; and since the little band of twenty-two, in eighteen hundred and fifty, sought a temporary refuge in the metropolitan city, to the present time, their number has steadily and rapidly increased, there having been nearly six hundred in the Asylum at one time during the past year.

In eighteen hundred and fifty-four the main or centre building was erected, and in eighteen hundred and fifty-seven the north wing was built, which completed the entire structure, at an aggregate cost of about one hundred and seventy-five thousand dollars.

The following table exhibits the annual number of admissions, recoveries, deaths, number resident at the close of each year, percentage of recoveries, and percentage of deaths, during the whole period of the existence of the Asylum—eleven years—and also the two years when the insane were kept in the General Hospital.

	Gen'l Hosp.		Reid.			Langdon	Aylett.				Tilden.		
	1851	1852	1853	1854	1855	1856	1857	1858	1859	1860	1861	1862	1863
Admissions.....	13	124	160	202	214	210	206	244	276	248	198	301	252
Recoveries.....	6	50	108	150	168	126	81	112	112	123	154	127	105
Deaths.....	1	10	12	21	18	.....	28	32	49	54	33	65	47
Number resident..	6	62	103	134	162	172	188	273	370	417	416	499	583
Percent. of recoveries to adm'ns..	46	40	68	74	78	60	40	45	40	49	77	42	40
Percent. of deaths on No. resident..	16	16	11	16	11	.....	15	11	13	12	10	11	9

From January first, eighteen hundred and fifty-six, to October first, eighteen hundred and fifty-six, when Dr. Reid was succeeded by Dr. Langdon, there is a *hiatus* in the records and reports for a period of nine months of the year, which I have supplied as correctly as possible, from the imperfect data, my own estimates, and personal knowledge.

The same interruption occurs, for a much shorter period, when Dr. Langdon was succeeded by Dr. Aylett, in eighteen hundred and fifty-seven, and again when Dr. Aylett was succeeded by Dr. Tilden, in eighteen hundred and sixty-one. The reports of Dr. Aylett for eighteen hundred and fifty-seven, eighteen hundred and fifty-nine, and eighteen hundred and sixty, in giving the number discharged, do not distinguish between the cured and uncured. By an examination of other reports for a period of six years, I find that more than ninety per cent (exclusive of deaths) of those discharged, were discharged as cured. I have therefore deducted ten per cent from the number discharged in the years above named, and taken the remainder as the recoveries. The thirteen conva-

lescents in the report of eighteen hundred and sixty-three, are also placed among the recoveries, as they were only removed by friends under assurances of speedy restoration to perfect reason.

The percentage of recoveries to the number of admissions at the Stockton Asylum during the whole period of its existence of eleven years is, according to the annual reports of the several Superintendents, about fifty-eight.

I will now compare the results as exhibited in the foregoing table, with some general statistics on insanity in Great Britain and the United States, and also with the statistics of many of our first class institutions in the Eastern States.

	Percentage of Recoveries to No. of Admissions.
Great Britain.....	38
United States.....	42
Maine State Asylum at Augusta, for twenty-one years.....	41
New Hampshire State Asylum at Concord, twenty years..	43
Mass. State Asylum at Taunton, nine years to April 1863 ..	37
Maine State Asylum at Augusta for 1861	41
Vermont State Asylum at Brattleboro, for 1862.....	33
Mass. State Asylum at Worcester, for 1862.....	52
Mass. State Asylum at Taunton, for 1862.....	42
Mass. State Asylum at McLean, (private) for 1862.....	46
New York State Asylum at Utica, for 1860.....	37
Pennsylvania—average in five State Asylums for 1861.....	40
Illinois State Asylum at Springfield, for 1861	53

It is useless to continue this comparison. It would be difficult to find any Asylum in the United States whose official reports show so large a percentage of cures during the past eleven years, as do those of the Insane Asylum at Stockton. Indeed, so extraordinary is the proportion of recoveries for eighteen hundred and fifty-three, eighteen hundred and fifty-four, and eighteen hundred and fifty-five, so at variance with the experience of the age, that it requires explanation. It is easily made. Intemperance in spirits is noted as the immediate cause of insanity in about twenty per cent of the whole number treated during the three years above named. When removed from the cause, recovery soon ensued.

It is the large number of admissions, not the small ratio of cures, that fills the wards and swells the columns of incurables.

In eighteen hundred and sixty-two there were admitted three hundred and one patients. Now, suppose the discharges and deaths to amount to even ninety per cent, we would still have an annual accumulation of thirty patients, which would fill an Asylum every ten years. The idiotics and harmless epileptics, incurable when admitted, contribute largely to this increase.

I am not aware, however, that the ratio of incurables, considering the sudden growth of population, is increasing more rapidly here than in the other States, if we regard such only as are the proper cases for our institution.

In eighteen hundred and fifty-four, the number of lunatics in Massa-

chusetts (exclusive of idiots) was two thousand six hundred and thirty-two; of this number, two thousand and eighteen, on the very best possible authority, were reported incurable, only four hundred and thirty-eight were curable, and one hundred and seventy-nine not stated. But of this vast number of helpless and reasonless persons, only six hundred and ninety-three were supported directly by the State—about one hundred more than are maintained by the young and comparatively small State of California.

The effect of the climate of any given place on a large number of involuntary residents, supported by public charity, is a very important consideration, on the score of both humanity and economy. The amounts of disease and the rate of mortality are the sources upon which we rely to determine the effect of climate on the human system. The percentage of deaths during the eleven years residence of the insane in the present building is about twelve. This is a trifle more than the general average in Great Britain and the United States, which is between ten and eleven per cent. This is owing entirely to the frequent commitment of patients who are in such extreme physical debility that in a few days they go to increase the ratio of death. In ample proof of the truth of this assertion, it is only necessary to refer you to the last annual report of the Superintendent, where it will be seen that *thirty-six per cent of all the deaths for the year, occurred in one month or less from the date of admission.* It is not customary to put such cases in other curative institutions. Still, the Asylum at Stockton does not suffer considerably, in comparison with others, in the mortality of its inmates, as will be seen by the following table.

	Percentage of deaths on No. of Residents.
Maine State Asylum, for 21 years.....	13
New Hampshire State Asylum, for 20 years.....	11
Vermont State Asylum, for 1862.....	9
Massachusetts State Asylum, Worcester, for 1861.....	8
Massachusetts State Asylum, Taunton, for 1861.....	13
Massachusetts, McLean, 1860....	14
New York State Asylum, Utica, 1860.....	8
Illinois State Asylum, 1860.....	20
California State Asylum, 1863.....	9

Should the list be continued we should find the ratio varying from less than five to more than twenty per cent, according to the physical condition of the patients received, and other circumstances.

Members of the medical profession cannot fail to acknowledge the healthfulness of the locality when they learn the fact, that notwithstanding the crowded condition of the institution, endemics have never prevailed within its walls, not even of intermittent nor remittent fevers, and that zymotic diseases of every variety are exceedingly rare.

The causes of death, too, should be noticed. By an examination of the Superintendent's report for eighteen hundred and sixty-three, you will find that not a single death from any miasmatic disease is noted, not one from intermittent, nor remittent, nor congestive fevers, nor diarrhœa,

nor dysentery, nor disease of the liver. When your eye scans the page of "causes," and you see leading the column, in mockery of man's skill, the familiar unstayed destroyer of human life, you may appreciate the responsibility of removing hundreds of our race whose mental disorders already predispose them to consumption, from the equable and genial atmosphere of their present location.

The first Superintendent, in his annual report for eighteen hundred and fifty-four, says:

"The climate is unrivalled and without a parallel. The temperature is regular and equable, and in the dry season the extreme heats are modified by a constant sea breeze from the northwest during the day, and cool winds from the mountains during the nights."

A subsequent Superintendent in his annual report remarks:

"The general health of the inmates, notwithstanding the number of invalids, has been excellent; this is in a great measure attributable to the delightful and healthy climate of the locality."

The mortality of the general population, compared with the ratio of deaths in other well known locations, is an indispensable item of knowledge in ascertaining the healthfulness or unhealthfulness of any given place.

In eighteen hundred and sixty-three the whole number of interments in the four cemeteries of the City of Stockton, which includes the still borns and those who died from external causes, was one hundred and fifteen. The following table will facilitate comparisons:

Location.	No. of Deaths, 1863.	Population, 1863, (Bancroft.)	Rates of Deaths to Population.
San Francisco.....	2,300	100,000	1 in 43 $\frac{1}{2}$
Stockton.....	115	5,000	1 in 43
Sacramento.....	380	14,000	1 in 37
Philadelphia.....	.....	.....	1 in 45
Boston.....	.....	.....	1 in 41
New York.....	.....	.....	1 in 37

The three great Eastern cities above named by way of comparison, are noted for their general healthfulness. In sickly locations the inhabitants suffer an annual mortality of nearly one in twenty.

Of the hundred and fifteen bodies interred in Stockton, twenty-two were brought in for burial from different parts of the county, one from San Francisco, one from Sacramento, seven were still born, ten died from external causes, and eighty, or one in sixty-two and a half of the population, died in the city and its environs of various diseases.

The three California cities above named, the only ones of which I have mortality statistics, rank with the most healthy cities of the Eastern States; and when the surrounding country becomes more generally settled and supplied with burial places, the number of interments in those cities and the apparent sum of mortality will be greatly diminished.

Should you have occasion to further investigate this subject, as you may have, with a view to the climatic character of any proposed location, let me suggest to you not to rely on the statistics of the United States census of eighteen hundred and sixty. They do not even approach correctness. For instance, the aggregate mortality of California, Oregon, and Washington, is, by the census returns, less than four thousand; while the real number of deaths in California alone could not have been less than between six thousand and eight thousand.

It is not proper that I should extend a communication of this kind beyond its present unwonted length.

Should it aid you or others in the discharge of legislative duties appertaining to this subject, my object will be fully attained.

Your obedient servant,

G. A. SHURTLEFF.

Stockton, California, March 4th, 1864.

MINORITY REPORT

OF THE

COMMITTEE ON HOSPITALS

MADE TO

THE SENATE.

THE STATE OF TEXAS

COUNTY OF DALLAS

1881

O. M. CLAYES.....STATE PRINTER

REPORT.

MR. PRESIDENT:—The minority of the Committee on Hospitals begs leave to submit the following report:

They most cheerfully concur in many things contained in the majority report, but dissent strongly from some material statements, as entirely at variance with matters of fact. They are also of the opinion that the scheme foreshadowed in the report of the majority, to relieve to some extent the cramped finances of the State, will, from the date of its adoption, add unnecessarily to its embarrassment, *bring no relief, but entail new burdens.*

We shall aim to be brief. First, then, we would call your attention to a few matters of fact. The majority report says "the Reform School is located north of Marysville, on *high* and healthy ground."

Per contra—J. C. Pelton, the first Superintendent of the Marysville State Reform School, and now of the Rincon Point School, San Francisco, and successor to our present State Superintendent of Public Instruction—in his annual report (see Appendix to Journal of the Senate and Assembly, Thirteenth Session,) says:

"From experience and observation of more than a year, as well as from the unwavering and concurrent statements of a large number of persons residing in the vicinity of the Reform School, and whom we believe to be disinterested and truthful, I am well convinced that there are local objections to the place which at once immeasurably outweigh all others; and here I need not refer to the extreme heat of this locality during one third of the year—this is understood. Heat, though unfavorable, may not be thought very seriously so, but bilious and intermittent fevers and chills (not in Marysville, but in the immediate locality of the Reform School) are prevalent and serious. Scarcely any here, I believe, entirely escape this almost unavoidable scourge during the malarious seasons; and water—so essential to such an institution—is found in the wells of the premises to be unfit for use—offensive even for bathing."

Upon inquiry, George C. Gorham, (Mr. Pelton's successor,) states in effect, that although himself and family resided in the second story of

the building, and that, although he adopted good sanitary regulations for himself, family, and pupils, they most of them suffered more or less from the local malarious influence.

J. C. Sargent, the present Superintendent, in his annual report to the Trustees, says :

“A very remarkable degree of good health has prevailed during the last six months. One girl and one boy have required the services of a Physician. Cases of chills and fever and intermittent fever have frequently occurred, but care, with the common remedy, has soon found the patient in his usual health. The improvements made in the bath room, I am confident have contributed largely to the health of the institution.”

The two of the three Trustees who should be best qualified from local knowledge to know all about it, in reply to questions, gave the above very full confirmation, with the qualification that it applied mainly to the months of June, July, August, September, and October; and the additional qualification that had the building been located on the eastern extremity of the farm, so that during the malarious season a belt of atmosphere not so heavily charged might intervene between the building and the low lands, it would be much healthier.

In the office of the Controller of State we find the following original vouchers on file for supplies of drugs and medicines and medical services for part of the years eighteen hundred and sixty-two and eighteen hundred and sixty-three, of which the following are copies as to the most material items. And first, we will give a few culled mostly from grocery bills. We have for the most part given the cost of the items, as it may in some instances give a clue to their strength and quality :

1862	
April 22..	1 bottle Ayer's Cherry Pectoral.
June 25..	2 bottles Whiskey.
June 29..	3 bottles Graffen. Syrup.
June 30..	1 bottle Castor Oil.
July 15..	2 bottles Whiskey (Quinine).
July 18..	4 bottles extract of Almond.
July 3... 1	quart of Quinine Tonic.
July 3... 1	Compound Cathartic Pills.
Aug. 22..	1 bottle Brandy for Quinine.
Sept. 13..	1 bottle Brandy for Quinine.
Sept. 21..	1 gallon Whiskey for Bitters.
Sept. 17..	Whiskey for Quinine Bitters.
Sept. 24..	Whiskey, \$2.
Nov. 24..	1 bottle Brandy.

Now we shall give Physicians' and Druggists' bills proper :

PHYSICIAN'S BILL.

STATE REFORM SCHOOL, Dr.

To E. T. WILKINS.

1862		
July 27..	Visit and prescription to one person.....	\$10 00
July 28..	Call visit.....	5 00
Aug. 1...	Visit and prescription to Patten.....	10 00
Aug. 2...	Visit and prescription to four persons.....	13 00
Aug. 4...	Visit and prescription to three persons.....	12 00
Aug. 10..	Visit and prescription to six persons.....	15 00
Aug. 13..	Call visit to six persons.....	10 00
Aug. 16..	Call visit to three persons.....	7 00
Aug. 17..	Visit and prescription to three persons.....	12 00
Aug. 20..	Visit and prescription to two persons.....	11 00
Aug. 25..	Call visit and prescription to two persons.....	6 00
	Total.....	\$111 00

[We found the following pencil interlineations: "A great deal of intermittent fever; the bill is reasonable; one pupil with intermittent fever."]

Approved, September 13th, 1862.

WILLIAM HAWLEY.

CHAS. M. GORHAM,

Trustees State Reform School.

ACCOUNT OF DRUGGISTS.

STATE REFORM SCHOOL, Dr.

To PRESBURY & WILKINS.

1862		
Aug. 3...	4 ounces Solution Quinine.....	\$2 50
Aug. 4...	4 ounces Solution Quinine.....	2 50
Aug. 4...	1 ounce Quinine.....	6 00
Aug. 4...	Capsicum.....	50
Aug. 4...	4 dozen Balsam.....	1 00
Aug. 4...	4 ounces Pulverized Ipecac.....	2 00
Aug. 4...	4 ounces Blue Mass.....	1 50
Aug. 4...	1 ounce Piperine.....	2 00
Aug. 4...	1 box Blue Mass.....	1 00
Aug. 4...	8 ounces Sweet Spirits of Nitre.....	1 00
Aug. 4...	2 bottles Castor Oil (large)...	2 00
Aug. 11..	2 boxes Seidlitz Powders.....	1 00
Aug. 11..	2 pounds Mustard.....	2 00
Aug. 11..	Paregoric.....	1 25

Aug. 11..	1 gallon Bitters.....	7 00
Aug. 11..	Elixir Vitriol.....	1 50
Aug. 11..	Half dozen Extract Lemon.....	2 50
Aug. 11..	1 pair Scales.....	3 00
Aug. 11..	1 bottle Tarrant's Aperient.....	1 75
Aug. 11..	3 bottles Citrate of Magnesia.....	1 50
Aug. 22..	1 gallon Bitters.....	7 00
Aug. 29..	1 ounce Quinine.....	6 50
Aug. 29..	4 ounces Essence of Peppermint.....	75
Aug. 29..	11 ounces Essence of Spearmint.....	75
Aug. 29..	8 Morphine Powders.....	50
Aug. 29..	6 Morphine Powders.....	50
Aug. 29..	6 dozen Cathartic Pills.....	1 50
Aug. 30..	Tartaric Acid.....	75
Aug. 30..	1 ounce Quinine.....	6 50
Total.....		868 25

Approved, September 13th, 1862.

WILLIAM HAWLEY,
CHARLES M. GORHAM,
Trustees State Reform School.

STATE REFORM SCHOOL,

BOUGHT OF E. T. WILKINS, DRUGGIST.

1862.		
Sept. 11	3 bottles Tarrant's Aperient.....	85 25
Sept. 11	3 bottles Wilkins' Bitters.....	4 50
Sept. 17	2 dozen Tonic Pills.....	2 00
Sept. 17	2 ounces Syrup Ferriet Quin. Citras.....	1 00
Sept. 17	Hive Syrup.....	1 00
Sept. 22	1 ounce Quinine.....	6 50
Sept. 24	2 ounces Spirits Hartshorn.....	50
Sept. 24	4 ounces Spirits Camphor.....	75
Sept. 24	2 ounces Chloride of Lime.....	75
Oct. 10..	1 ounce Quinine.....	6 50
Oct. 10..	2 ounces Cascarella.....	25
Oct. 10..	4 pounds Chloride of Lime.....	1 50
Oct. 15..	4 dozen Tonic Pills.....	3 00
Oct. 15..	4 ounces Syrup Ferriet Quin. Citras.....	2 00
Oct. 20..	1 bottle Mustang Liniment.....	50
Oct. 21..	Morphine Powders.....	50
Oct. 17..	Hat Brush.....	2 00
Oct. 17..	Prescription.....	1 00
Total.....		\$89 50

STATE REFORM SCHOOL, DR.

To. E. T. WILKINS, M. D.

1862.		
Sept. 3..	To Visit to one Patient.....	\$10 00
Sept. 4..	To Visit to one Patient.....	10 00
Sept. 15	To Call visit, and prescription, two patients.....	6 00
Sept. 19	To Call visit, and prescription, one patient.....	10 00
Sept. 24	To Call visit, and prescription, one patient.....	5 00
Oct. 3...	To Call visit, and prescription, one patient.....	10 00
Oct. 5...	To Call visit, and prescription, one patient.....	5 00
Oct. 8...	To Call visit, and prescripton, two patients.....	11 00
	Total.....	\$106 50

Approved, March 29th, 1862.

WILLIAM HAWLEY,
CHARLES M. GORHAM,
Trustees State Reform School.

STATE REFORM SCHOOL, DR.

To E. T. WILKINS, DRUGGIST.

1862.		
Dec. 5...	Plaster	\$ 75
Dec. 15..	4 dozen Tonic Pills.....	3 00
1863.		
Feb. 5 ...	1 bottle Aperient.....	1 75
Feb. 5 ...	4 dozen Tonic Pills.....	3 00
Feb. 5 ...	Sugar of Lead.....	1 00
Feb. 9 ...	Cream of Tartar and Sulphur.....	50
Feb. 12 ..	1 box Seidlitz	50
Feb. 12..	1 bottle Castor Oil	1 00
Feb. 12..	3 bottles Citrate of Magnesia.....	1 50
Feb. 12..	2 drams Quinine.....	2 00
Feb. 21..	4 dozen Tonic Pills	3 00
Feb. 21..	8 ounces Spirits of Nitre.....	1 00
Feb. 24 ..	1 box Blue Ointment.....	50
Mar. 13..	Visit to one patient	10 00

E. T. WILKINS.

Approved, May 9th, 1863.

WILLIAM HAWLEY,
CHARLES M. GORHAM,
Trustees State Reform School.

STATE REFORM SCHOOL,

BOUGHT OF E. T. WILKINS & ENGLAND, DRUGGISTS.

1863.		
Mar. 2...	1 bottle Laudanum.....	\$ 75
Mar. 2...	Tincture Arnica.....	75
Mar. 2...	1 box Dalley's Ointment.....	50
Mar. 10..	6 bottles Extract Lemon and Vanilla.....	3 00
Mar. 11..	2 bottles Citrate Magnesia.....	1 00
Mar. 21..	4 dozen Tonic Pills.....	3 00
Mar. 21..	Rhubarb.....	50
April 2...	1 ounce Quinine.....	6 50
April 2...	1 bottle Aperient.....	1 50
April 2...	4 dozen Tonic Pills.....	3 00
April 2...	1 bottle Citrate Magnesia.....	1 00
April 2...	Tartaric Acid.....	50
April 11	2 bottles Aperient.....	3 50
April 11	Cream of Tartar.....	1 00
April 16	1 pound Mustard.....	75
April 16	4 dozen Tonic Pills.....	3 00
April 27	Rhubarb.....	50
April 27	Liniment.....	1 00
May 9...	4 dozen Tonic Pills.....	3 00
May 9...	Blue Mass.....	1 00
May 13..	Half dozen Extract Lemon and Vanilla.....	3 00

WILKINS & ENGLAND.

Approved, May 23d, 1863.

WILLIAM HAWLEY,
CHARLES M. GORHAM,
Trustees State Reform School.

STATE REFORM SCHOOL, DR.

To J. B. McDONALD.

To Care of Horse, and Feed for same, for the month of June, A. D. 1862.....	\$17 50
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[We find the following interlineation in pencil added to the above
"Must be stalled in town, on account of heat."]

Approved. August 30th, 1862.

WILLIAM HAWLEY,
CHARLES M. GORHAM,
Trustees State Reform School.

We will add but few comments. The drug statistics and the Doctor's bills speak for themselves. They extend over a period of nearly twelve months, and we think furnish strong *prima facie* evidence of the sanitary condition of the institution in spite of precautions and good sanitary regulations. The pupils are nearly all of good natural health, with constitutions rather above than below the average, and as well calculated to resist and throw off malarious influences as any persons in the State; the same will apply to the other residents there at the time in question. The average number of pupils and all others who were connected with the institution and residents there, would about equal two very large families; and no more. We heard it more than intimated on the occasion of our visit that tonics were frequently necessary by way of preventive, and that in the ordinary cases of fever and ague, and the milder types of bilious and intermittent fevers, the resident authorities were in the habit of administering the "ordinary remedies," and some items in the above seem to furnish strong internal corroborative evidence. Don't the quantities and order of purchases show, too, that they were mostly intended for immediate use?

On the fourth page of their report the majority of the committee say of the locality of the Insane Asylum at Stockton: "Truth compels us to say that natural deficiencies exist in the location which must in a measure retard the progress of the institution," and yet in the preceding paragraph admit "that despite the great disadvantage of the excessively crowded condition of the Asylum, the percentage of cures effected is equal to an average of similar institutions in older States." We have been told by the Physicians in charge that notwithstanding the "excessively crowded condition" of the wards, more particularly in sleeping accommodations, cases of bilious and intermittent fevers have been rare, and that during the three years they have been in charge, although over twelve hundred cases have been treated, only a very few cases of fever and ague have occurred in the institution. Members will consider, too, that the patients are, many of them, in bad physical health, with constitutions undermined and broken down, and therefore in fit bodily condition to yield to endemic diseases or malarious influences if any existed in the place. We will add, that all intelligent men resident in the vicinity know well that any assumptions of its unhealthiness are the sheerest hallucinations of theorists, unsupported by any matters of fact such as usually govern sensible people in their decisions.

We are aware that the majority report does not state in direct terms that the location *is now unhealthy*, but indirectly accomplish, substantially, the same result, by asserting that the artificial sewerage "must inevitably be productive of unhealthy emanations." We reply, that there was not even provisions for artificial sewerage until within the last two years, and yet such is the eminent healthiness of the locality that although with the previously imperfect sewerage, water at times stood in offensive cesspools in the immediate neighborhood of the buildings, the deleterious consequences so much dreaded did not even then follow, as they doubtless would have done in any less favorable place, and it is hardly reasonable to suppose that they would now follow when the water, which formerly stagnated more or less in the immediate locality of the institution, is regularly carried through a drain deep under ground about a quarter of a mile away from the buildings, and thence distributed over the farm wherever needed for purposes of irrigation and fertilization,

and is now made available to the advantage and profit of the institution, (see Table Sixth, annual report, eighteen hundred and sixty-three,) and which income can be much increased from year to year, especially if the greater part or the whole of the farm should be inclosed so as to prevent the escape of patients whose labor, now unavailable, could then be much employed, greatly to their advantage, by furnishing them healthful exercise, and to the State's profit.

Under the old imperfect sewerage of eight or ten years standing no endemic diseases were engendered; the new and very perfect system now in successful operation has been tried nearly two years—the imperfect and the more perfect covering a period of twelve years. Now, when all the circumstances and sanitary conditions are much more favorable than ever before—without the least scintilla of actual fact to support their fears—in the face of the facts of twelve years experience to the contrary—and notwithstanding the contrary judgment of the eminent Physicians in charge of the institution, the majority entertain apprehensions that it must inevitably become unhealthy. It is somewhat strange. At the Marysville State Reform School the gentlemen in authority frankly stated to every person who had a mind to know their opinion, that the location was unhealthy; but the committee report it healthy, where, however, they had full assurances to the contrary, by those best qualified to know. They are haunted with timid fears of future “inevitable” unhealthfulness.

Facts are facts, and can be made matters of testimony. One location is admitted to be unhealthy, but is a fit place for two hundred patients; the other is eminently healthy—and in proof we cite twelve years experience—but for fear it might become unhealthy at some illy-defined future time, a commission is recommended to spy out some healthy location for a duplicate institution.

That the location can boast of no mountain scenery is true, and, if mountains, in a neighborhood, are at all essential to restore insane people to reason, then the objection surely has force. Results are the safest criterion. We have heard much of the advantages of hilly or mountainous locations; they are no doubt well in themselves, and, other things being equal, ought to be adopted; but so long as no one has been able to furnish us with any statistical information in proof of their having at any time been instrumental in swelling the percentage of cures, we deem it somewhat romantic to distress ourselves over the unfitness of a locality where, under the admitted great disadvantages of “excessively crowded condition,” a percentage of cures has been effected equal to the average of the most favored and successful institutions in the Atlantic States and in Europe. It seems, then, that there is more of poetry and pure idealism in the notion than of practical benefit. When experience demonstrates one thing and pure theories teach another, sensible people are usually slow to invest heavily in theories until they see them verified by some plain facts.

The majority of the committee are also annoyed by the proximity of the Asylum to the tule lands. This is not a great matter with any one well acquainted there, nevertheless, it may as well be set right. The tules are from a mile and a half to two miles from the Institution buildings, and the intervening lands are nearly all divided up into farms, orchards, vineyards, and gardens, and the greater portion of the more costly, tasteful, and pleasant residences of the city are located there. Still, legislative committees are ill at ease about a locality which men of ample means have dotted over with graceful, attractive, and beautiful

homes, and to which, next to their fairer occupants, nothing adds more to their attractiveness than the serene, bracing, equable, and healthful climate which they are permitted to enjoy. Cite such men as Doctor E. S. Holden, S. W. Sperry, Judge Creanor, and many others that might be named, who have lived for years in that identical locality.

The plan foreshadowed in the majority report, and which they conceive it would be a master stroke of legislative wisdom to adopt, we understand to be this: First—to remove the pupils from the Reform School to the Industrial School at San Francisco, to be kept there at a certain contract price. Second—to finish and furnish the buildings now occupied by the Reform School, and organize a State Alms House. Third—to create a Commission of five Physicians to search out and determine upon a proper site for either a duplicate Insane Asylum, or if the plan is not to duplicate, then we presume it is to build entirely new buildings of sufficient dimensions to accommodate and care well for all the insane of the State.

We think we have stated the whole scope of the plan fairly, and shall now examine briefly its financial results to the State, and as the Legislature will hereafter (it is to be hoped) hold biennial sessions only, we will make most of the following estimates on that basis.

The pupils at the Reform School are to be contracted for by the State with the Board of Trustees of the Industrial School, at a rate not to exceed two hundred and twenty-five dollars per annum. When your committee visited the State Reform School there were twenty-five pupils in the institution, who, with the other commitments to be provided for, would, in our opinion, soon swell the number of the State's pupils to over fifty; but though we think it would exceed that number, we will estimate the average for the next two years at only fifty.

Fifty pupils, at two hundred and twenty-five dollars per year, eleven thousand two hundred and fifty dollars; for two years, twenty-two thousand five hundred dollars.

The second part of the plan is to finish and furnish the State Reform School buildings to receive and accommodate two hundred or more patients now in the Insane Asylum at Stockton. The majority report estimates the finishing of the State Reform School buildings at from twelve to fifteen thousand dollars; we, on the contrary, estimate the necessary outlay in finishing and furnishing the building with all its necessary culinary, refectory, and dormitorial furniture, and also with the necessary additional improvements in outhouses, yards, sewerage, and grounds, to make the situation at all comfortable for two hundred or more patients for the next two years, at no less than from twenty-five to thirty thousand dollars. We may safely say twenty-five thousand dollars. We may also estimate the cost of the removal of the pupils at the Reform School to the Industrial School, and of two hundred or more patients from the Insane Asylum to the Reform School buildings, with the pay of the necessary Commissioners to be appointed to superintend the removal, at three thousand dollars.

To properly care for two hundred or more patients, not twenty of whom but are more or less crazy, will require a thorough and efficient organization, and must consist of at least the following officers and assistants:

Resident Physician, supplies and salary for two years.....	\$10,000
Two years' salary of Assistant Physician, or Apothecary.....	2,500
Three Directors for two years.....	3,600
Steward	2,400
Treasurer and Secretary.....	1,500
Eight Wardens @ \$45 per month.....	8,640
Watchman	1,000
Porter	1,000
Chief Cook.....	1,000
Chief Baker.....	1,000
Hostler and team, and keeping for the same.....	1,500
Gardener, farmer, and carpenter.....	2,000
Matron.....	1,600
Laundress.....	800
Extra expenses for necessary duplicate officers and assistants for two years foot up.....	38,540

But not satisfied with their first essay on State economy, the majority recommend that a Commission of five Physicians be appointed to search for and fix or agree upon a proper site for an Insane Asylum elsewhere than at Stockton; which Commission would cost the State perhaps not less than two thousand five hundred dollars.

When the happy location shall at last be found, if the plan simply to duplicate the Insane Asylum should be adopted, buildings to accomodate half the patients now at Stockton, provided it is intended to give them ample room, and bring to bear every appliance of cure, and provide for them every reasonable convenience and comfort, we say such a building, with the proper fitting up as an institution of that kind, will, with the necessary offices and reception rooms, together with the residences of Physicians, and improvements of yards and grounds, cost the State at least two hundred thousand dollars, and (delightful anticipations!) a new organization, a long train of State beneficiaries, headed by a brace of Doctors, in the selection of whom it is possible that a wrong would be committed were the claims of old members made light of. The now triplicated set of officers and aids will, with supplies, cost the State the snug little sum of from twenty to twenty-five thousand dollars annually, and biennially at least forty thousand.

Nor is this the end of the consequences that would result from the adoption of the plan of the majority of the committee.

The duplication, or rather the triplication of the institution, necessitates the purchase of supplies in divided and diminished quantities. Now, every business man knows that when he can go into the market and buy in large quantities, at wholesale rates, he can obtain what he wants at from twelve to twenty per cent less cost than when he undertakes to buy the same articles in less quantities at retail rates.

The merchant or contractor will agree to furnish assorted goods to one party, amounting in the aggregate to twenty-five or thirty thousand dollars, at rates considerably less than he would contract to furnish the same aggregate amount under three or four contracts to as many different parties.

We think we are within reasonable bounds when we say that under the proposed plan the State would lose eight per cent, which, on the present estimated expense of keeping the insane, would lose the State \$8,000 per annum; biennial loss	\$16,000
We have, then, transportation of pupils, patients, and necessary supervision.....	3,000
Improvements at Reform School.....	25,000
Extra expenses for necessary duplication of officers and aids for two years.....	38,540
Commission of five Physicians to fix upon a proper location for Insane Asylum.....	2,500
New duplicate Asylum, when organized with its necessary force—biennial estimate for its officers and aids alone.....	40,000
Total.....	\$125,040

The cost of an organized force to make operative the intent of an institution of the kind, is a very different question in our State from what it is east of the Rocky Mountains. There, good male assistants can be hired for from fifteen to twenty dollars per month, that here cost from forty to seventy-five; and good women at eight dollars, whose services here cost forty.

In fact, in some years past, of the pay alone of the operating force at our State Insane Asylum has been about forty per cent of the current expenses of the institution; and still they were short, more especially in Ward Keepers, having only one to twenty-five or thirty patients, whereas in like institutions in the Eastern States two are usually employed for a less number of patients.

But to return to the main question. In our summing up we have not included the estimated cost of State pupils at the Industrial School, which, as an independent proposition, it may or may not be good policy to adopt; but if to the above we add two hundred thousand dollars for the construction of buildings for a duplicate Insane Asylum, we shall impose on our well taxed State the sum of three hundred and twenty-five thousand dollars—two hundred thousand more than there is any pressing necessity for, and have on hand, besides, two expensive organizations to be biennially provided for ever thereafter.

As to the building, which is to cost five hundred thousand dollars, we doubt very much the financial sanity of any man who would, at this time, propose any such extravagant expenditure.

We are at a loss, too, to know what authority the committee had to bring them to the conclusion that the present Directors thought of building such a structure; they are practical, sensible men, and comprehend its folly as clearly as any other persons in the State, which any member of the committee could have learned very fully by simple inquiry.

They think that there is at this time no really urgent call for much more than one fourth that expenditure; and say this, that if the last year's Act should be so amended as to continue the tax only one year longer than the law at present provides for, it will raise a sum amply sufficient, if at the same time the law in relation to commitments be made as stringent as it ought to be, to erect buildings sufficiently commodious to give good accommodations and ample facilities for care and cure of all the insane of the State for the next eight or ten years.

A new building, not to cost over from one hundred and twenty to thirty thousand dollars can be built, which, while complete in itself, can be constructed with a view to such a general design that additions could be made at any time hereafter, should it ever be thought necessary or advisable to do so; or what would cost still less, one of the wings of the present main building could, at a cost of not more than from eighty to one hundred thousand dollars, be sufficiently extended to make room for all the female patients for years to come, and the four wards which they now occupy would make room for from two hundred to two hundred and fifty male patients.

It may be asked, why could buildings to accomodate say two hundred and fifty patients, be erected cheaper in connection with the buildings which the State now has; we reply:

First—Because the patients could do from ten to fifteen thousand dollars worth of labor on it and be themselves benefited by it.

Second—The offices, parlors, and residences for Physicians, need not be duplicated.

Third—Because room for a good classification of patients is indispensable for greater success in cures, and the present buildings already affording it to a considerable extent, every additional ward adds to the seven male and four female wards already there; whereas, in a new building elsewhere, if made what it ought to be, the above must necessarily be gone over with again from the beginning, and buildings constructed with a view of organizing from ten to fourteen entirely new wards, which will necessarily make it more complicated and expensive than simply additional buildings, to extend a fair classification already provided for.

In conclusion, permit us to say that within the last year a new ward has been built, which will accommodate about seventy-five patients, and is now nearly or altogether ready for their reception, which will afford some immediate relief, though not near as much as would be desirable; and we may add, too, that the embarrassed state in which the finances now are, the plan of converting the State Reform School buildings into a State Alms House can bring no relief before next Fall, and that if the Legislature should see fit to order to be expended for improvements where the present Insane Asylum is located only such an amount of money as would be necessary for the pay and supplies for the next three years for the two additional corps of officers and assistants which the relief plan of the majority report recommends to be created, we can safely guarantee that within less than two years buildings can be erected to furnish ample room for all the insane proper of the State for eight or ten years to come. It is the simplest, safest, and, in the long run, much the cheapest plan for the State, and we think ought to be adopted.

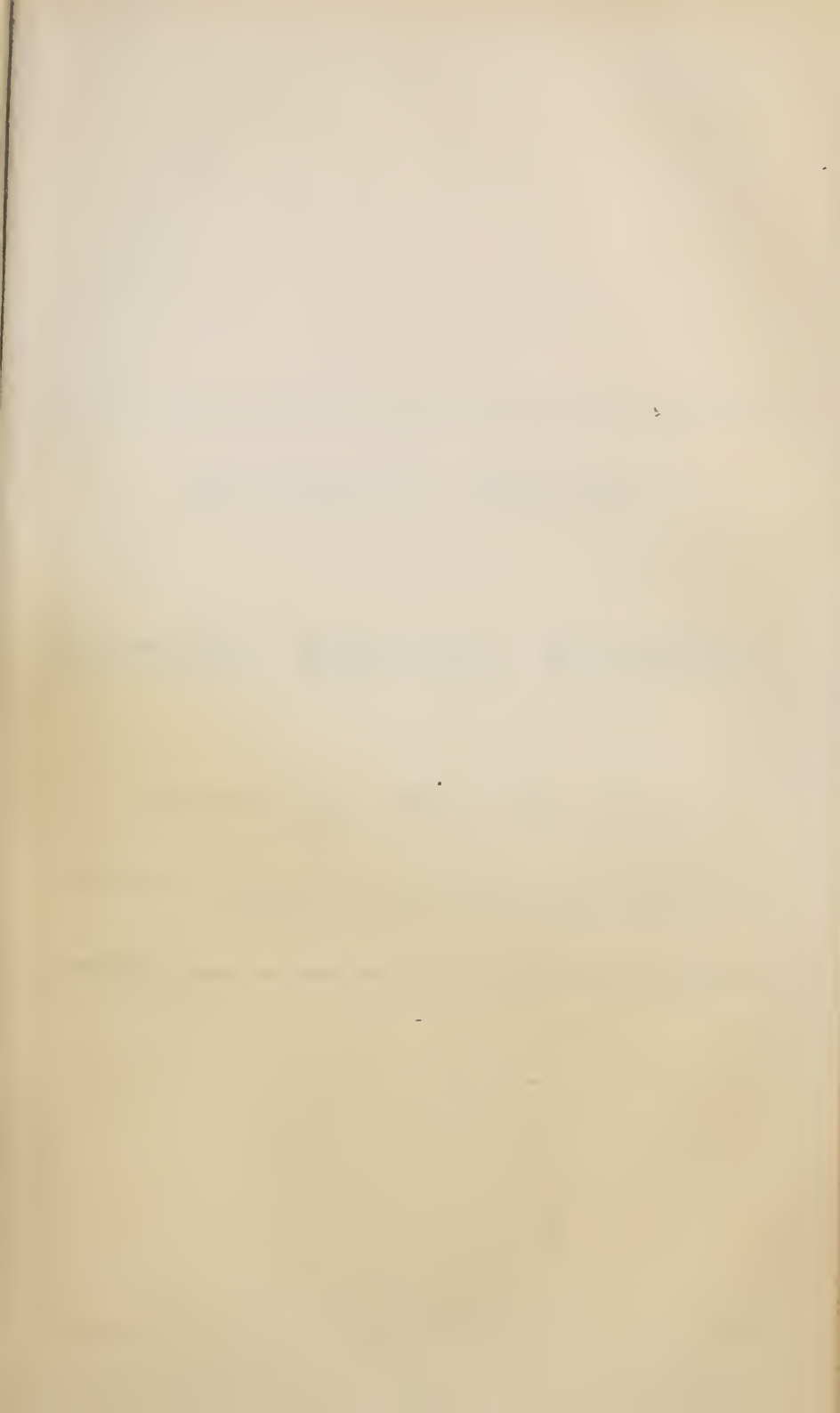
We will add that in any event, the facilities for the useful, healthful, and profitable employment of the insane of the State ought to be much increased; it would not only in many cases affect their physical and mental health beneficially, but might, in the course of a few years be made to contribute a considerable amount towards relieving the State from the heavy appropriations now necessarily incurred in the care and support of that unfortunate class of human beings. Something ought also to be done to increase the means and opportunities of amusement and pleasant recreation. All of which is respectfully submitted.

SAMUEL MYERS,

Committee on State Hospitals.

FRED. LUX,

House Special Committee to State Reform School.



MINORITY REPORT

OF THE

Assembly Judiciary Committee,

ON

Assembly Bill No. 61,

AN ACT TO AMEND THE ELECTION LAW, AND ESTABLISH A UNIFORM SYSTEM
OF REGISTRY THROUGHOUT THE STATE.

O. M. CLAYES.....STATE PRINTER.

REPORT

MR. SPEAKER:—The undersigned, a Minority of your Judiciary Committee, beg leave to report in favor of the passage of Assembly Bill No. 61, an Act to amend the Election Law, and establish a uniform system of registry throughout the State; and in support of the passage of the bill, submit the following as some of the most potent reasons why the bill should pass.

First—It is objected to on account of its unconstitutionality:

The Constitution says (Art. II): "Every white male citizen of the United States, of the age of twenty-one years, who shall have been a resident of the State six months next preceding the election, and the county or district in which he claims his vote thirty days, shall be entitled to vote at all elections," etc.

These are the qualifications, and the Legislature cannot add to or diminish them; but Article XI, Section Eighteen, says: "The privileges of free suffrage shall be supported by laws regulating elections, and prohibiting, under adequate penalties, all undue influence thereon from power, bribery, tumult, or other improper practice."

Although the Constitution has fixed the qualifications of voters, it does not prescribe the manner, mode, time, and place of holding elections, but has left that to be provided for by legislative enactment, as is fully indicated in section eighteen above cited; and we contend that the bill in question asks and provides for nothing more.

The investigation of these qualifications mentioned in the Constitution, must be examined and passed upon by some Board authorized and created for that purpose, and this must be done by the Legislature, as it is entirely unprovided for in the Constitution itself. Now, the Constitution says, (Section Six, Article II): "All elections by the people shall be by ballot." This provision, without a legislative assistance, would be very vague indeed, and might lead to a variance of opinion, were it not for the law on this subject, which law prescribes that "it shall be a *folded ticket*, and delivered to the Judges in *person*," otherwise, under the Constitution, the voter might claim his right to vote with *open ticket* and by *proxy*. The Constitution referred to which prescribes that every white male citizen of the United States having certain qualifications shall have a right to vote in such elections, does not require that his name shall be borne on any list; and the question now is whether such an Act would impose additional qualifications inconsistent with this provision,

and therefore void. We think not. There must be a power somewhere, whose duty it is both to determine upon the claim of the voter, and to receive his vote, and who, by refusing to receive his vote, refuses to allow his claim. The investigation is highly necessary for the purpose of ascertaining the facts whether he is, in fact, a legal voter by being in possession of all the qualifications mentioned in the Constitution.

It is contended by the Majority of the Judiciary Committee, and by the opposition to this bill, that the Constitution itself has provided the qualifications of voters, and that the law in contemplation imposes new and additional qualifications, which cannot be done by Acts of legislation.

We think the objection not a good one, the right of suffrage being secured by the Constitution to all persons having certain qualifications, such as "white," "male," "citizen of the United States," etc., "age" and "residence," etc. It certainly was the duty of the Constitution itself either to direct in detail the time, place, and manner in which this constitutional right should be exercised, or to leave this to be regulated by law. So far as this is done by the Constitution, it is conclusive; but where it is not so done, it is competent for the Legislature to provide for by a law acting uniformly throughout the State, and we are clearly of opinion that the Legislature may adopt any reasonable and uniform regulations, prescribing the time and mode of exercising that right, in order to secure and facilitate the exercise of such right in a prompt, orderly, and convenient manner. This is not, in any sense, subverting or restraining the right itself.

There can be but one opinion in regard to the power of the Legislature to provide for the exercise of one of the most important rights of suffrage, and without which the qualified electors would be unable to exercise the right itself to any useful or effectual purpose.

We think the bill does not impose any additional qualifications, but only provides an easy and reasonable mode of exercising the constitutional right, and one calculated to prevent error, fraud, and perjury, to secure order, regularity, and peace in the conduct of elections, and thereby give more security to the right itself.

If these qualifications mentioned in the Constitution are to be examined into and passed upon by any one or at any time, the Legislature can say by whom examined, what time, and mode. All these are facts open to proof of various kinds, and sometimes consumes considerable time and trouble in the investigation, and frequently while the polling is in progress, and whilst many other voters whose rights are unquestioned have to be delayed; all of which can be easily avoided under the provisions of the bill, which provides that a previous examination must take place, and all entitled to vote will have their names properly registered, and all they will have to do will be to deposit their ballot. The qualification of voters necessarily requires that an examination of the claims of persons to vote on the ground of possessing these qualifications, must at some time be had by those who are to decide on them. The time and labor necessary to complete these investigations must increase in proportion to the number of votes; and in those large and populous cities and towns, much inconvenience must necessarily arise.

If, then, the Constitution has made no provision in regard to the time, place, and manner in which such examination shall be had, and yet such an examination is necessarily incident to the actual enjoyment and exercise of the right of voting, it constitutes one of those subjects respecting the mode of exercising the right to which the Legislature can make all

suitable and reasonable regulations, so as not to defeat or impair the right of voting, but rather to secure the exercise of that right.

Can it be said that a law which requires that the qualifications of voters shall be previously offered and proved before a Board of Registry in order to entitle them to vote, that their names shall be entered upon an alphabetical list of voters, is imposing additional terms or qualifications, and therefore unconstitutional and void? Not by any means. It is clear to be seen that such a law would be highly reasonable and useful, calculated to promote peace, order, and celerity in the conduct of elections, and as such to facilitate and secure this most precious right to those who are by the Constitution entitled to enjoy it. It cannot be justly regarded as adding a new qualification to those prescribed by the Constitution, but only regulating the mode of exercising the right of voting, which, in my opinion, is competent to the Legislature to make, and therefore not repugnant to the Constitution, but valid and binding. In all cases care should be taken, and laws framed to secure the rights of electors; and believing, as we do, that those rights are so secured by the bill, and that nothing but the carelessness or neglect of the voter himself, or some accident not attributable to the law, can deprive him of the power of proving this right and exercising this privilege, and against these it would be difficult to provide.

Having, as we think, answered the constitutional objections to the bill, and believing, as we do, that it is clearly in the power and control of the Legislature to pass a uniform Registry Law, defining the time, mode, and manner of voting throughout the State, we have a few words now to say on the policy of the passage of a Registry Law. If there is a State in the Union that could be benefited by such a law, in my opinion it is California; here, where almost every race and tongue of men is congregated, and upon almost every occasion claiming the rights of suffrage, and many times even demanding that they be allowed the right to vote, when in fact they are not entitled or qualified in any respect. It would prevent the numerous frauds and ballot box stuffing that is so much resorted to in this State; there would be no chance for such frauds to be practiced under a uniform system of registry. It would effectually put a stop to all double voting, which has been and will still continue in California under the law as it now is. How often, on election day has it been known that companies of men have banded together for this very purpose, and after voting at one poll, or being examined and found not to be entitled to a vote, would immediately go to another poll, and there, if not allowed otherwise, would swear in his or their votes, many times virtually deciding the election by illegal votes.

It gives every legal voter a perfect right, and effectually excludes all that are not legal, as a list of voters is made out and posted up in a conspicuous place days before the election. Every one can see and judge for himself who are and who are not legal voters. It would have a tendency to elevate the purity of the ballot box, and promote the purity and regularity of elections. It would tend to promote uniformity in the rules of evidence, and of decisions upon the claims of voters. It would prevent in a great measure so much noise and confusion, quarreling, riot, and even bloodshed, that so frequently happens on election days under the laws as they now exist.

We have been told that there have been cases of perjury committed under the law as it now is on the statute book. If so, a Registry Law would prevent any possibility of such acts being repeated, for no man

would undergo the examination, and have his name on the list, exposed to public view, unless he was a legal voter.

All of which is respectfully submitted.

A. C. BROWN.



REPORT

OF THE

Senate Judiciary Committee,

RELATIVE TO

SENATE BILL No. 48.

An Act concerning Officers.

O. M. CLAYES.....STATE PRINTER

REPORT.

MR. PRESIDENT :—

The undersigned, a majority of the Judiciary Committee, to whom was recommitted Senate bill No. 48, "An Act concerning Officers," beg leave to report the same back, with an amendment, and recommend its passage as amended, for the following reasons :

The Governor of the State is now authorized to appoint various civil officers—some by and with the consent of the Senate, others without its ratification.

The Legislature also has, in some instances, a like power of appointment. There are also appointees of Boards of officers. The present bill proposes to give all these the power to remove.

Public opinion very justly makes the appointing power, not only responsible for a prudent and impartial exercise of the power at the moment of its exercise, but also, in a degree, for the character of the appointee, either for efficiency or otherwise, as evidenced by his conduct after appointment.

The Governor and the Senate, in the exercise of this power, stand in a peculiarly embarrassing position. They are frequently called upon to hastily judge of the loyalty and fitness of applicants. Their sources of knowledge are too often limited to those interested. The applicant comes fortified with petitions and recommendations, in many instances, extracted by importunity from the friends of the Governor or members of the Legislature. His energies are strained to reach and secure the office, but having secured it, he frequently becomes indifferent in the performance of his duties, or his bad character reveals itself. He is indifferent, or extortionate, or disloyal, because he knows that he has his position firmly in hand.

If, however, he is conscious that the same power that placed him in position can remove him when he becomes derelict, there is certainly reason to suppose that his aim will be rather to deserve the retention of the office than dismissal therefrom.

The object of appointing officers is not to give the appointee a vested right in the office, but to secure public servants who will faithfully subserve the public interests.

The question is—is it better to put a check upon the appointing power, or upon the appointee? If the office is created for the man, there is some force in insisting that we should scrupulously hedge the man about

with a certain divinity; but if, on the contrary, the man is secondary, and the office primary, then provide for the efficient discharge of the duties of the latter.

It is said that the power proposed to be given by this bill is liable to be abused; that it is a one-man power.

Admit that it may be abused. Is there not greater reason to believe that the public interests may be endangered by appointments made upon misinformation, and by the reckless, inefficient, and criminal actions of officers secure from supervision, than by an improper exercise of the removing power?

It is impossible to carry on governmental operations without permitting the exercise of discretion in the governing power.

Why give the veto power to the Governor? A reckless exercise of this power might produce incalculable mischief. Why give the appointing power? A failure to appoint might likewise obstruct the wheels of Government.

The antidote is in an enlightened public opinion and a watchful Press. Together they will sufficiently guard the exercise of the very limited power proposed to be given to the Executive by this bill.

The Governor now has the appointment of two Stamp Inspectors; one State Guager; one Supreme Court Reporter; one Commissioner of Immigration; one Inspector of Gas Meters; and Notaries Public in the several counties of the State, and Commissioners of Deeds for foreign States, whose terms of office are fixed by law.

He also has the appointment of four Port Wardens for the City of San Francisco; one for the City of Sacramento; one for each of the other ports of entry in the State; three Pilot Commissioners for the City of San Francisco; one Locating Agent for each of the United States Land Districts within this State, who all hold their offices at the pleasure of the Governor.

The Legislature elects a Resident Physician of the Insane Asylum; a State Harbor Commissioner, who holds for a fixed term.

No public complaint has as yet been made on account of the possession of the removing power, in the case of Port Wardens, Pilot Commissioners, and State Locating Agents, nor are the undersigned aware that the power has been improperly or unjustly exercised.

These offices are of great importance, and if the disposition of them tends to corruption, why has not such corruption heretofore manifested itself.

It is objected that this removing power is without any respectable precedent.

The Constitution of the United States, Article II, section two, provides that the President shall have power, by and with the advice and consent of the Senate, to appoint "all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law, but the Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the Courts of Law, or in the Heads of Departments."

During the administration of Washington, the question whether or not the President had the constitutional power to remove an appointee without the consent of the Senate, and also the expediency of permitting such an exercise of power, was elaborately discussed by the able men in that body, and decided in favor of the power of removal. Treating of this action of Congress, Chancellor Kent says:

“This amounted to a legislative construction of the Constitution, and it has ever since been acquiesced in and acted upon as decisive authority in the case. It is supported by the weighty reason that the subordinate officers in the Executive Department ought to hold at the pleasure of the head of that Department, because he is invested generally with the Executive authority, and every participation in that authority by the Senate was an exception to a general principle, and ought to be taken strictly. The President is the great responsible officer for the faithful execution of the law, and the power of removal was incidental to that duty, and might often be requisite to fulfil it.”

It is true that at times this power of removal has been abused by the Federal Executive, but no patriot can now regret that this remains intact, when he recalls the condition of our Government at the outbreak of the rebellion, and reflects that if it had not been for the liberal exercise of this power of removal by the President the arm of the administration might have been continuously paralyzed by the hordes of traitors who then invested all the places in the gift of the Executive.

In Maine, the Governor and Council can appoint and remove certain officers.

The present New York Constitution provides, in Article X, section one, that Sheriffs, Clerks of Counties, the Register and Clerk of the City and County of New York, Coroners, and District Attorneys, shall be chosen by the electors of the respective counties once in every three years, and further provides that, “The Governor may remove an officer in this Section mentioned, *within the term for which he shall have been elected*, giving to such officer a copy of the charges against him, and an opportunity of being heard in his defence.”

It will be observed that this applies to certain officers *elected by the people*.

Section three, of Article X, of the same Constitution, reads as follows:

“When the duration of any office is not provided by this Constitution, it may be declared by law, and if not so declared, such office shall be held during the pleasure of the authority making the appointment.”

It will be noticed that Article XI, section nine, of the Constitution of the State of California, is almost a literal transcript of the section just quoted.

In New York, under the section last cited, the Legislature enacted as follows:

“All officers who are or shall be appointed by the Governor for a certain time, or to supply a vacancy, may be removed by him.” (See Revised Statutes, Part 1, Chap. 5, Title 6, Art. 4, sec. 42.)

The removing power under the constitutional clause above cited, and this statute, has been for many years and is now exercised by the Governor of that great State. A power extending even to the displacement of certain officers elected by vote of the people. If the exercise of these powers had been productive of the disastrous results anticipated by the opponents of the bill under consideration, we cannot doubt but that the people of the Empire State would have long since remedied the evil.

The Constitution of Wisconsin (Art. 6, sec. 4,) follows the Constitution

of New York, in giving the Governor the power of removing certain *elective* officers.

In Indiana and Pennsylvania the appointees of the Governor hold during good behavior. In the latter State, it has been decided that though the officer holds during good behavior, still the Governor can remove. (See *Commonwealth vs. Bussier*, 5 of Sargent and Rawle, 460.)

The legislation which removes whole classes of officers and abolishes offices for the purpose of displacing obnoxious incumbents, would no longer disgrace our statute books if a summary power of removal be given to the appointing power. The odium which attaches to an improper appointment would be doubled if the appointee is continued in place, and thus, instead of removing power from the people, you bring it nearer that great lever of popular opinion, a power which checks the abuse of power more than statute laws. Therefore, because we deem :

First—The appointing power is made responsible for the character of its appointments ;

Second—That we should seek to promote the interests of the public in obtaining efficient officers, rather than invest the appointee with an indefeasible right ;

Third—That the removing power already possessed has not been abused by the Executive ;

Fourth—It is sustained by respectable precedent, as evidenced in the Constitution and laws of the United States, Maine, New York, Wisconsin, Indiana, and Pennsylvania ;

Fifth—It obviates the necessity of the species of legislation heretofore too common in this State, which abolishes offices to reach the incumbent ;

And lastly, because, in the peculiarly delicate and dangerous condition of our foreign and domestic relations, we know not at what moment the safety of the community may not demand the speedy displacement of incompetent or traitorous officials.

We respectfully submit that the under consideration should receive the approval of the Senate.

CRANE.
WRIGHT,
HARTSON.
SMITH.
HEACOCK.





REPORT OF THE COMMITTEE

ON

Mines and Mining Interests,

OF THE ASSEMBLY, CONCERNING

THE STATE GEOLOGICAL SURVEY.

O. M. CLAYES.....STATE PRINTER.

REPORT.

MR. SPEAKER:—Your Committee on Mines and Mining Interests, who were instructed to visit the office of the State Geologist, to inquire into the amount of labor done, and to examine the collections in that office, so as to be able to arrive at a correct conclusion in regard to the advisability of making further appropriations for the continuation of the Geological Survey of the State, have performed their labor, and most respectfully report:

That your committee are more than ever impressed with the advantages to be derived from and the importance to the people of a thorough, accurate, and complete Geological Survey of the State, ending, as was contemplated in the Act of eighteen hundred and sixty, which created this department, with a report containing "a full and scientific description of its rocks, fossils, soils, and minerals, and of its botanical and zoological productions."

The work has been going on during the past year as fast, we think, as could have been reasonably expected from the amount of force which the small appropriation of the last session permitted to be kept in the field. So vast, however, is the field of labor, and so important the knowledge to be obtained in the various departments of science within the scope of the Survey, that very little more than a preliminary survey or reconnoissance has been completed during the last or preceding years. Large tracts of our State are still comparatively unknown to the explorations of science. A thorough survey, therefore, as was contemplated by the creating bill, has not been made, except of a small portion of the territory of our State.

Notwithstanding the incompleteness of the Survey as contemplated, still, much and very important progress has been made. The Geologist has nearly finished the third volume of his reports, together with many maps designed to illustrate the same; and with little more labor in the field, the whole could be made ready for publication. When we reflect on the character of the work already accomplished, its thoroughness in scientific research, and scope of design, we can but regret the poverty of our Treasury, that limits expenditure on a work which, if carried to completion, would redound more to the fame, reputation, and lasting glory of our State, than could be obtained by any monuments or temples which man's architectural skill designed, and granite or metal was intended to perpetuate—for the one, from the nature of things, would be

perishable; while these works of science would live as long as the world was peopled by intelligent beings.

Your committee also found a large number of collections in the rooms of the State Geologist, amounting to several thousands, many of them of rare value, and all of more or less interest. These, however, for want of room for their proper exhibition, are so huddled together that they lose much of their attraction and interest. In view of this fact, and as your Committee were informed that it is the intention of the owners of Montgomery Block to take the same down, in which the Geologist has his rooms, they would respectfully recommend that early action be taken by the Legislature for the erection, purchase, or otherwise procuring a suitable building for a State Museum, which shall include the geological collections; or if this should be deemed too expensive, at least that rooms adapted to the display of these valuable specimens of the natural wealth and original productions of our State should be obtained.

The department of Metallurgy, so important to the mining interests of our State, in furnishing a knowledge of the best methods of separating metals from their ores, and determining their character; of Topography, that furnishes that minute description of all natural objects of the earth's surface, and other departments of the Survey, appear to have been ably conducted, so far as the limited time given to the committee enabled them to examine, and their knowledge of the subjects qualified them to judge. Full reports of the labor of these various departments will be furnished in the forthcoming volume, and of the merits of them the public will be able to decide.

Your committee do not feel that they would be doing justice to themselves or to the legislative branch that appointed them, if they closed this report without offering a few general remarks, the result of their reflections, on the importance of this Survey.

Few, we presume, are so lacking in discernment as to deny the advantages of this great work in connection with the cause of education, which is the most important and vital interest of the State, as upon it depends the sustaining influence and perpetuating power of our form of Government. We must furnish the rising generation with all the material aids to study, and give them every advantage within our control and power, in order to have them make that intellectual advancement and attain to that standard of intelligence which the times demand. In so doing, thought and energy, virtue and knowledge, will so permeate the body politic as to afford the most perfect and reliable guarantees of the stability of existing republican institutions, and insure the future welfare and prosperity of our State.

This Survey, from its completeness, will furnish a vast amount of important information, both scientific and otherwise, that could be obtained from no other source. For instance: the student might study the science of Geology as obtainable from surveys of other States and countries, and yet be entirely ignorant of the geological formations of our own State. Different ages in the earth's formation present different phenomena. The age, position, and character of the rocks under our feet may be described in no existing theory on Geology, and the student, in consequence, left in a perpetual maze in the contemplation or study of the same. So, also, of its botany; for we imagine there are few persons so unobservant as not to have noticed many varieties of plants upon this coast which seem peculiar to it, of the names and properties of which he had no knowledge.

We might go on and say much more, and perhaps of interest, under

this head, but we believe it unnecessary, as but few, if any, will dispute the importance of the work in this respect.

In its relation to the mining interests of our State, it cannot be too highly estimated, as this has ever been, and, from the vast amount of capital and labor employed, will ever be a leading interest of our State. There can be but little doubt that much of this capital and labor has been uselessly expended, from want of that scientific knowledge which this Survey is intended to furnish. Anything like correct information, to direct the labors of the hardy and enterprising miner, would result in adding untold millions to the golden current which flows from our State.

Our agricultural interests, also important, and a continually increasing source of wealth and prosperity, cannot fail to be benefited in a high degree by the labors of this Survey.

In conclusion, your committee, though so highly impressed with the importance of this work, still have not been unheedful of the dissatisfaction existing in the public mind, both as regards the progress of this work, and its seeming inutility; nor have they been unmindful of the great pressure upon the Treasury of the State, even for the most essential purposes of government.

They would, therefore, simply recommend an appropriation of twelve thousand dollars, (\$12,000.) for the field-work of the survey, necessary to the completion of the third volume, and the publication of the same, together with the preceding volumes and accompanying maps.

E. H. SNYDER,
Chairman.

REPORT

OF

SENATE FINANCE COMMITTEE,

ON

Senate Bills Nos. 302 and 307.

O. M. CLAYES.....STATE PRINTER.

REPORT.

MR. PRESIDENT:—Your Committee on Finance, to whom was referred Senate bill No. 302, an Act to aid in the construction of a railroad over the Sierra Nevada Mountains, as a link to the Pacific Railroad, and to create a funded debt for that purpose; also, Senate bill No. 307, an Act to aid the construction of the Central Pacific Railroad, and to secure the use of the same for military and other purposes, and other matters relating thereto, beg leave to submit the following report:

We have carefully considered the subject matter of said bills, and are fully satisfied that this great enterprise of constructing a railroad over the vast mountain range which separates us from the Great Basin, so rich in the precious metals, and destined soon to be occupied by a large population of hardy and industrious citizens, needs and should receive prompt and efficient aid from this State, that it may be completed at the earliest practicable period. That population will naturally look to this State for a supply of all its manufactured goods, and a large portion of the necessities of life. The benefit of this commerce to the people of this State is incalculable. It is estimated by those best acquainted with the facts, that at least twelve millions of dollars was paid during the year eighteen hundred and sixty-three for the transportation of passengers and freight over these mountains, and this will be largely increased each succeeding year. We owe it to ourselves and to the people of that Territory, that the best and cheapest means of transportation for this large and growing trade shall be promptly established. Such railroad will form, too, the most important link in that great National highway so long demanded by the American people, especially those residing on the Pacific Coast. The want of such a road is more deeply felt by the people of this State than any other in the Union. Its importance, its absolute necessity in case of war with any foreign nation, is apparent to all. The present aspect of affairs in Europe, in connection with the difficult international questions, as well as irritations, which have grown up during the present civil war, warn us that the event may not be far distant. It is the part of wisdom to prepare for such an event. But we deem it unnecessary to enlarge upon the importance of this great work to the people of this State as well as the Nation.

Congress has seen its great importance, and in the midst of a civil commotion which demands the use of all its resources, has generously taken it up as a great National work, to be devoted when needed to the necessities of the Nation. By an Act, approved July first, eighteen hundred and sixty-two, it included the Central Pacific Railroad Company of this State, the only company organized for the construction of a railroad over the Sierra Nevada Mountains, among the companies authorized to execute the great work, and as one of the recipients of its liberal aid in the form of Government Bonds and Public Lands.

That company is now engaged in building the road, and will soon be ready to transport passengers and freight over a portion of their line. The substantial character of the road, so far as completed, gives assurance that the final result of their labors will be worthy of a position among railroads of the first class, and that the assistance which may be extended to them by Congress or this State will not be misapplied. So far the work has been prosecuted without receiving State or National aid. Considering the deranged condition of the financial affairs of the country, the high price of labor and materials, both in this and the Atlantic States, and the distance all material for the construction and working of the road had to be transported, the company has accomplished as much if not more than could have been reasonably expected.

We learn that the company have expended in the purchase of rights of way, real estate, engineering, construction of the road, buildings, and superstructure, the purchase of rolling stock, and other necessary expenditures in such an enterprise, a sum exceeding one million six hundred and sixty thousand dollars, which includes the grading, bridging, etc., for thirty-one miles, and all the iron and rolling stock for sixty miles of the railroad.

A large sum will still be needed to complete the remaining nineteen miles of the first fifty miles of the road. It is highly important to the interests of the company and of the State that this division of fifty miles should be completed by the first day of December next. The grading of this nineteen miles is very heavy and expensive, as much of it consists of deep cuttings through rock and cemented gravel. The company must rely to a great extent upon State aid for the means to complete it, as the assistance granted by the National Government cannot be applied for before forty miles is completed.

It is also very necessary that a large amount of work should be performed the present season upon deep rock cuttings, tunnels, and heavy embankments, on that portion of the line east of the first fifty miles, as otherwise the progress of construction will be greatly delayed.

Aid to the company at this time will thus be of the greatest importance in securing the early completion of the road, more so than at any other period; State aid at this time will also materially assist the company in securing Eastern capital to its support.

It is believed that after the construction of the first fifty miles, the company will have no difficulty in securing the means, with the addition of the Government grants, to push the work to a speedy completion.

Senate bill No. 302 is based upon the principle of issuing the bonds of the State to the amount of one million five hundred thousand dollars, and thus increasing the State debt to that extent; such bonds to be delivered to the company which shall first complete a line of railroad to the eastern boundary of the State. The great point to be accomplished is the completion of a road over the mountains to the valleys beyond; and a road might be constructed to the eastern boundary line, and still be far distant from those valleys, and with a high mountain range interposing, thus leaving the object of the greatest importance unattained.

Aid thus proffered would also fail to accomplish the good desired, which is, assistance to the work while in process of construction, to expedite its completion.

We are satisfied that whatever assistance is given should be extended immediately, so that the means received can be applied to the construction of the work the present season, and not as a donation after the completion of the road, perhaps years hence, and when it might not be needed.

Your Committee therefore believe that it is for the best interests of the State to render such assistance as it can afford to the Central Pacific Railroad Company, and thus unite its efforts with those of the National Government, instead of proffering it to others, which, even though equally meritorious in other respects, have not secured the same means to prosecute the work. It appears, also, as before stated, that no other company has been organized for the construction of a railroad over the Sierra Nevada Mountains, and all the roads running to the mountains are of a different gauge from that required by the Act of Congress, and the kind of iron used is not that required by that Act. They cannot, therefore, form part of the great National highway.

It will need the united efforts of the National and State Governments, with private capital, skill, and energy, to prosecute it to as early a completion as is desired.

This State, by the Act of April twenty-fifth, eighteen hundred and sixty-three, has already pledged its aid to the Central Pacific Railroad Company, and a repudiation of that pledge, by the repeal of that Act, without the consent of the company, as contemplated by this bill, would be an act of bad faith on the part of the State towards the company, and those who have dealt with it on the credit of the law, and would also tend to discredit the only company now efficiently engaged in the work, as well as tend to delay the construction of any Pacific Railroad.

For these reasons your committee recommend that Senate Bill No. 302 be indefinitely postponed.

In the present condition of the State your committee does not deem it advisable to increase the State debt by the issue of State bonds, and efficient aid can be extended by allowing the company to issue its own bonds, secured by a mortgage upon its property, the State to pay the interest on a certain portion of such bonds, as the same may become due; the money to pay such interest to be raised by a special tax for that purpose.

In view of the great benefits which the people of this State will receive from the speedy construction of this great National highway, we are confident that such a tax will be cheerfully paid.

In the discussions of the Pacific Railroad question during several years past, it has been generally conceded that the State ought to extend its aid most liberally—sums varying from five to fifteen millions of dollars were generally admitted to be necessary. The Central Pacific Railroad Company, with the aid of one million five hundred thousand dollars of their bonds, the interest of which shall be thus paid by the State, and in view of the aid granted by Congress, can prosecute the work the present season so as to complete the first fifty miles within the time required by Act of Congress.

Your committee have therefore prepared a bill, which is herewith reported, as a substitute for Senate Bill No. 307, and recommend its passage.

By the provisions of this substitute, the State agrees to pay, from the proceeds of a special tax, the interest on one million five hundred thousand dollars of the bonds authorized to be issued by said company, for the period of twenty years, as the same shall become due. The Central Pacific Railroad Company, in consideration thereof, agree to perform certain valuable and important services for the State, one of which is, that they will transport, free of charge, all troops and munitions of war belonging to the State. The experience acquired during the present rebellion, shows the great value of such services in a time of war.

The services thus rendered in a single campaign might greatly exceed in value the aid granted by the bill. The agreement by the company to transport all materials to be used in the construction of the State Capitol, is one of immediate benefit and of great value.

A superior quality of granite, easy to be worked, and inexhaustible in quantity, exists in close proximity to the line of the road, only twenty-two miles from the City of Sacramento, upon a tract of land granted to the company by Congress; the title is therefore perfect. The Architect of the Capitol has examined it, and has recommended its use in the building. By constructing a short track from the main line of the railroad to the Capitol building, this stone can be transported from the quarry entirely by railroad, at no expense to the State.

The company also agrees to convey to the State a half section of this land, with a large portion of this granite ledge, containing about three hundred acres. A map of this tract, showing the location of the ledge, and the tract proposed to be conveyed, accompanies this report as a part thereof. This tract will be a most eligible site for a branch State Prison, and can be used for that purpose whenever it shall be deemed expedient to construct one. The granite can be used in the construction of the necessary walls and cells for the Prison, and can be worked by the prisoners for the Capitol building as well as for sale. Their labor, thus employed, will prove less injurious to the mechanical interests of the State than any other, as the experience of other States has proved. This is, therefore, an important feature in the bill.

Besides, the road will cost about fifteen millions of dollars, and the value of lands in its vicinity, with those sold under the grants from Congress, will undoubtedly increase to an equal sum, and thus the taxable property of the State will be increased at least thirty millions of dollars. The yearly State taxes on this sum will be more than double the amount paid in interest on the bonds of the company.

The benefits which the State will thus receive from the company, we deem a fair and reasonable equivalent for the aid extended to it, and thus the people of the State, while extending most valuable assistance to this great enterprise, will receive a fair consideration therefor.

The Act of April twenty-fifth, eighteen hundred and sixty-three, before referred to, imposes a heavy burden upon the General Fund, in the present condition of the Treasury; and it is an object much to be desired to relieve that Fund from this burden, and thus bring the State to cash payments of its liabilities. By the bill reported herewith, this object will be attained, and that Act will be repealed, with the consent of the company, they agreeing to accept the provisions of the present bill in lieu of the aid granted by the former Act.

CUNNINGHAM,
BURNELL,
GASKILL,
JONES,
BUCKLEY.



REPORT

OF THE

SAN FRANCISCO DELEGATION

TO THE SENATE,

ON

Senate Bill No. 163,

AN ACT CONCERNING THE RATES OF FARE ON STREET RAILROADS IN THE
CITY AND COUNTY OF SAN FRANCISCO.

THE

OFFICE OF THE

STATE

OF THE

O. M. CLAYES.....STATE PRINTER.

REPORT.

SENATE CHAMBER,
Sacramento, March 10th, 1864. }

MR. PRESIDENT:—The San Francisco Delegation, to whom was referred Senate Bill No. 163, "An Act concerning the rates of fare on street railroads in the City and County of San Francisco," respectfully beg leave to submit the following report :

Fully conscious of the importance of their action in this matter, both to the public and to the interest of the parties making this application, your committee have devoted great care and attention to the subject, having appointed a sub-committee of three from their number to visit San Francisco, and, with the aid of a competent and practical Expert, to make a very careful and thorough examination of the affairs of the several railroad corporations asking for the passage of this Act.

Before proceeding to give the result of their investigations, your committee deem it proper to submit to the Senate that, in their opinion, there is a great principle involved in this question, to which all considerations of mere personal and pecuniary interest should certainly yield. They believe that the granting of the petition of these companies for an increase of the rates of fare accepted by them in their charters would be establishing a very dangerous precedent, that would, if followed up, militate greatly against the best interest of the general public, which we are all bound by our oaths to represent and protect, against any and all considerations of private gain.

From the well known reputation of the gentlemen named in the several charters as judicious and careful financiers, and business men of great practical ability and success, it is fair to presume that before accepting these charters, subject to the rates of fare fixed by law, they had fully and carefully estimated all the contingencies of their action; and your committee can only regard the laws granting these several franchises as settled and deliberate contracts, entered into between the general public, as represented by the Legislature, on the one part, and the grantees on the other. Had these franchises proved to be immensely remunerative to the holders, it will hardly be contended that any application would have been made by the public (at least at this early date) for any reduction of the fares fixed by law, and it is certainly but equita-

ble and just that the grantees should abide by their own deliberate action, until at least a longer time than twelve months has elapsed from the time of their commencing operations.

It is probably almost unknown in the history of enterprises of this character that they proved remunerative for the first year, and when it is taken into consideration that all these charters extend for twenty-five years, and that the growth of San Francisco will probably exceed the expectations of the most sanguine, your committee can only come to the conclusion that, at the rates of fare now fixed by law, these franchises will prove to be sufficiently remunerative to the stockholders.

Your committee would state that their estimates are based principally upon the business of the Omnibus Railroad Company, as neither the North Beach and Mission nor the Central roads (the latter having been in operation but four months) have been running a sufficient length of time to enable the committee to obtain data to base any reliable estimate of their future business and probable success.

The question of the increase of the rate of fare on the city railroads of San Francisco, brought before the Legislature by the memorial of the Presidents of the Omnibus Railroad Company, the North Beach and Mission Railroad Company, and the Central Railroad Company, has deservedly elicited marked attention and frequent expressions of opinion.

Since the memorialists, on page twelve, "*contend that these railroads are proper subjects of legislative care and aid,*" and on page thirteen, "*ask for this question a candid consideration, that it may be decided on its merits,*" professing to believe "*that no citizen who understands the matter will object to the small raise of fare, unless he be one of those who desire to ride at other people's expense,*" they will appreciate the endeavor to present before the Legislature such considerations and conclusions as appear to result from the data furnished by the railroad companies in their memorial.

The public have a vital interest in this question, as will hereafter be shown, amounting to a direct additional tax of not less than one hundred and fifty thousand dollars per annum for a quarter of a century.

The public, although they have no desire to "*ride at other people's expense,*" do question the propriety of this measure, and are not content to have their sentiments or opinions forestalled by the dictum of the memorialists, that "the objections of such are not worthy of consideration."

To the public this is not simply a question of five cents or six and a quarter cents; this is not simply whether the gross receipts of the city railroad companies shall be increased from five hundred thousand dollars to six hundred and fifty thousand dollars per annum by the mere will of the Legislature, stimulated by interested stockholders. This is not simply a question whether the railroads are or are not a public convenience. But there is another principle underlying this question, deserving legislative consideration, and which, on grounds of public policy, demands that the petition of the memorialists should be considered with great care. When these franchises were granted, it will not be forgotten that numerous applicants prayed for these coveted privileges; that strenuous efforts were made to place the disposition and control of them in the Board of Supervisors; but so persistent were the applicants that the public interests yielded to the importunities of private companies.

The award of the franchises was not made to the lowest bidders, but the Omnibus Company were allowed to amend their bids, and the preference was given to them because they had a large capital invested in

omnibuses on the proposed route, and the Legislature at that time thought proper to give them the preference on that account.

If the public have any rights which are not subservient to private advancement, then it follows that public burdens should be lightened by public competition; and if the memorialists are not satisfied, they should stand aside and allow other eager applicants to carry these projects to completion. It is also proper to remark here, that the stock of these companies will readily command par, and has often been quoted at ten to twenty per cent premium.

The memorial submits for the consideration of the Legislature, in the opening paragraph, "Facts," and further says: "The figures are taken from the books of the respective companies, and are certified to by the Secretaries, and are accurate and true exhibits of their business."

In accepting "*these facts and figures*," it will only be necessary to show that the fare fixed by statute will abundantly compensate the use of capital.

It is the nature of capital to seek permanent investment at low rates of interest, in preference to temporary loans at high rates. Hence, any San Francisco stock that will yield ten per cent per annum will to-day, and has for five years, commanded par.

It will not be questioned that capital in San Francisco is sufficiently abundant for all enterprises that promise security and a reasonable interest. Nor will it be questioned that in railroad enterprises it is the exception and not the rule for the business to be remunerative from its inauguration, and that it is safe to assume an increase of at least thirty per cent per annum for several years to come; and this is warranted by the growth of the city, and by the experience of all horse railroads.

In estimating the cost of making, maintaining, and operating a street railroad, in order to approximate a fare that will produce a revenue equal to the cost of operating and maintaining in repair and good condition the track and equipments, and a liberal return upon the capital invested, reference will be had to the facts and figures of the memorial, and such other lights and data as your committee have been able to discover. Nor, in making such estimates, will it be proper to include real estate investments beyond the economical wants of the company. To have burdened the public with the cost of the Occidental Hotel or the Russ House, as a part of its investment, would have been no less proper than the putting in of the real estate of the Omnibus Company, including Union Hall, at one hundred and forty-five thousand four hundred and ninety-two dollars and twenty-eight cents. The public rejoice to see such forecast among the citizens, but will never consent to fix a rate of fare to cover interest on such princely expenditures. The North Beach and Mission Railroad, but little removed from the great centre, (and, by the way, both companies should have located near the termini of their roads, to save outlay and increase profit,) has accomplished all that the Omnibus Company has, at a cost of sixty-four thousand six hundred and eighty-five dollars and ninety-nine cents, or at about three sevenths of the expenditure.

Nor will allowance be made by a discriminating public for the result of costly experiments, if, by the employment of unskilful engineers and workmen, the proper cost of these railroads have been materially increased.

The piling and capping of the bay, the laying and taking up of tracks, the tunnelling of Russian Hill, or the more sober experiment of grading a track to the Cemetery, are all legitimate under the franchise, but it

will not be seriously asserted by the memorialists that, in their characters of public benefactors, they expect an increase of fare for every chimerical undertaking.

Therefore, whatever the result of the examination, the proposition of the memorialists, on page twelve of the memorial, "that these railroads are proper subjects of legislative *care and aid*," is not conceded.

The Central Railroad (page eight) has equal to eight miles of single track, at a cost of one hundred and thirty-four thousand two hundred and ninety-three dollars and twenty-five cents, or equal to sixteen thousand seven hundred and eighty-six dollars and sixty-six cents per mile; but this cost is shown on page eleven of memorial to have been extraordinarily increased, viz:

The piling and capping of Davis street.....	\$10,000
Opening a first class free road through the sand hills to the Cemetery, upwards of.....	40,000
	<hr/> \$50,000

Thus reducing the average cost through the city proper, to about eleven thousand dollars per mile.

In strange contrast with this prudent statement, which will commend itself to the careful observer, is the statement of the Omnibus Railroad Company, page eight, which shows that that company has equal to ten and three quarters miles of single track, at a cost of three hundred and thirty-seven thousand eight hundred and eighty-nine dollars and seventy-four cents, or equal to thirty-one thousand four hundred and thirty-one dollars and sixty cents per mile, or nearly double the cost of the Central, with its (the Central's) proper cost enhanced about five thousand dollars per mile by capping and piling, and grading sand hills.

The North Beach and Mission Road has equal to ten and three tenths miles single track, at a cost of two hundred and thirty-one thousand one hundred and eighty-eight dollars and ten cents, or equal to twenty-two thousand four hundred and forty-five dollars per mile, which includes the laying and taking up of the track on Battery street, and the grading and macadamizing of Folsom street, the first of which, although expensive, has no claims to be considered as a part of its proper cost.

From a careful comparison of the three roads, the conclusion is irresistible that the fair average cost of railroads for the city proper, when the streets are graded, will not exceed eleven thousand dollars per mile.

In approximating the cost of operating the roads, there is between the Omnibus and North Beach and Mission, if possible, a wider discrepancy, which is unsatisfactory in the extreme, and will fail to convince the public, who have a vital interest in the question, *that it is either necessary or proper to increase the fare now or at any other time*. In order that the public may follow the examination in detail, the following tabular statement, prepared from the reports of the three companies, will aid in the comparison:

COST OF OPERATING.

OMNIBUS RAILROAD.		NORTH BEACH AND MISSION RAILROAD.	
Office Expenses.....	\$1,383 84	Office Expenses.....	\$1,025 55
Salaries of officers.....	6,202 13	Salaries of officers.....	3,387 50
Contingent.....	557 50		
For 12 months	\$8,143 47	For 11 months.....	\$4,413 05
Per month.....	678 62	Per month.....	401 19
Excess, 62½ per cent on equal number of cars.			
Conductors, Drivers, and Watchman, 12 months.....	50,672 32	Conductors, Drivers, and Watchman, 11 months.....	31,945 27
Per month.....	4,222 66	Per month.....	2,904 11
Excess, 28 per cent.			
Hostlers and Shoeing, 12 months.....	23,712 00	Hostlers and Shoeing, 11 months.....	10,106 81
Per month.....	1,976 00	Per month.....	918 80
Or, for 42 cars, per car	47 34	Per car, per month.....	24 81
Excess, 73 per cent on equal number of horses.			
Oil, Water, Gas, and Fuel, 12 months	3,456 35	Oil, Water, Gas, and Fuel, 11 months	1,818 00
Per month.....	288 03	Per month.....	165 27
Excess, 54 per cent on equal number of cars.			
REPAIRS.		REPAIRS.	
Harness, 12 months.....	1,197 07	Harness, 11 months.....	397 06
Car Repairs.....	6,720 00	Car Repairs.....	1,159 17
Track Repairs.....	12,602 55	Track Repairs, 10 3-10 miles.....	736 91
		Total.....	\$2,293 14
		Add 1-11th.....	208 46
Total for one year.....	\$20,520 41	Total for one year.....	\$2,501 60
Excess, 820 per cent.			

It is reasonable to infer that a portion of this enormous expenditure for repairs by the Omnibus Company arose out of costly experiments by unskilful engineers in laying and relaying curves, and which the North Beach and Mission avoided.

It will be seen by the foregoing comparative statement that in every item of expenditure in operating the roads, the Omnibus Company have exceeded the North Beach and Mission Company from twenty-eight to seventy-three per cent, exclusive of the item of repairs, which exceeds the North Beach and Mission by an average of about eight hundred per cent.

Leaving out of view, for the moment, this excessive item of repairs by

the Omnibus Company, with which, if resulting from unskilful experiments, the public has no concern, the result in brief is that the current expenditures, exclusive of repairs, stand as follows :

Expenses.	Omnibus R. R.	N. B. & Mission R. R.
Office expenses and salaries, per month	\$739 32	\$401 19
Taxes, etc.....	721 02	420 00
Conductors, drivers, watchmen, and track cleaners.....	4,222 66	2,904 11
Hostlers and shoeing.....	1,976 00	918 20
Oil, water, and gas.....	288 03	165 07
Feed.	3,134 41	1,479 00
Add for difference in number of horses and the increased expense of twenty- five per cent on \$5,460		1,365 00
Total.....	\$11,081 44	\$7,652 57

Showing an average excess, after allowing twenty-five per cent to debit of North Beach and Mission, of forty-four per cent.

Place the expenses of the North Beach and Mission on a par, as to number of horses, cars, and operatives, and it follows that forty-two cars, employing two hundred and thirteen horses and one hundred and nine men, can be operated, with the care and economy of the North Beach Company, at the rate of \$7,653 37 per month—per year..	\$91,840 44
That to keep the track, cars, harness, and animals, in con- stantly replaced condition, the annual current expendi- ture would possibly, but not probably, reach \$10,000 per year. (See N. B. & Mission statement of repairs for eleven months, \$2,501).....	\$10,000 00
Total.....	\$101,840 44

Referring once more to the memorial for facts and figures, we find on page four :

Received from passengers, from January 1, 1863, to Jan. 1, 1864, one year	\$215,776 04
Deduct current expenses and depreciation, as above.....	101,840 44
Shewing a clear profit per year of.....	\$113,935 60

RECAPITULATION.

It has been demonstrated by the facts and figures, page six of Memorial, and in this analysis, that the proper cost of the Central Railroad was, per mile		\$11,000 00
Add for capping and piling Davis Street.....	\$10,000	
Add for grading the way to the Cemetery.....	40,000	
	<hr/> \$50,000	
Or, per mile		5,000 00
Total cost, per mile.....		<hr/> \$16,000 00
And we have at the enhanced cost of \$16,000 per mile, on the average length of the three roads embraced in the memorial, ten and a half miles, (for each road).....		168,000 00
Add the cost of equipment, per statement of Omnibus Company, page four, cars.....	\$47,302 89	
Horses, harness, and tools.....	77,622 77	
	<hr/>	124,925 66
Add real estate, buildings, and fixtures, as per North Beach and Mission statement, page five, which is demonstrated to be ample for the purpose.....		64,685 99
		<hr/> \$357,611 65

Paying an annual net revenue of one hundred and thirteen thousand nine hundred and thirty-five dollars and sixty cents, or thirty-one per cent per annum.

Easton, in his late work on Street Railroads, says :

“ Taking the statistics of cost, expenses, and receipts of four street railways in New York, and four street railways in Boston, which may be assumed to be a fair average in the whole, the cost of construction and equipments amounts to five million forty-four thousand five hundred and twenty dollars ; the receipts for one year, one million nine hundred and fifty-eight thousand one hundred and nineteen dollars ; expenses for one year, including estimated wear and tear of stock, and repairs of roadway, one million three hundred and nineteen thousand two hundred and eight dollars ; being an income of six hundred and thirty-eight thousand nine hundred and eleven dollars on a capital of five million forty-four thousand five hundred and twenty dollars.

“ No returns have yet been made of the operations of the many railways laid down in Philadelphia ; but from actual observation it is cal-

culated that the aggregate of their incomes will, in proportion to the amount invested, far exceed that of Boston and New York. The Citizens' Passenger Railway, on the Tenth and Eleventh streets, which was considered the most desperate of all undertakings, has declared a dividend of eight and one-half per cent in five months.

"The rapid increase of population about the depots, which are generally on the suburbs of the city, adds largely to the permanent business of the roads, and is the means of bringing into market property which otherwise may have remained unsold and unimproved for years. Moreover, in times of panic, whilst most branches of industry have been paralyzed, the business of street railways has been continued without interruption, with steadily increasing receipts, additional facilities for the conveyance of passengers, and a corresponding increase of the number of employés, at the time when the curtailment of other enterprises was swelling the ranks of the unemployed."

TABULAR STATEMENT

Of Cost and Profits of Eastern Roads.

Name of Road.	Cost of Construction.	Cost of Equipment.	Net Profit.
Sixth Avenue.....	\$555,012 62	\$199,944 60	\$78,125 39
Brooklyn City.....	574,003 75	452,706 23	99,189 64
Third Avenue.....	1,000,000 00	170,000 00	117,822 04
Cambridge and Union.....	316,777 14	159,988 04	20,038 19
Metropolitan.....	226,641 77	218,342 64	64,743 14
Malden and Melrose.....	56,106 38	186,441 93	7,317 98
Totals	\$2,728,541 66	\$1,387,423 44	\$387,296 38

"The total stated cost of construction and equipment (of the above roads) is four million one hundred and fifteen thousand nine hundred and sixty-five dollars and ten cents, which, allowing for wear and tear, and every expense, has produced a net profit of three hundred and eighty-seven thousand two hundred and ninety-six dollars—equal to nearly nine and a half per cent per annum.

"The above roads comprise a length of single track equal to ninety miles. The amount for construction of such length, including all materials and work, need not now exceed :

Where no grading or bridges are necessary.....	\$1,000,000 00
Add cost of buildings and equipment.....	1,387,423 44
	\$2,387,423 44

"Which would have given a net revenue of three hundred and eighty-

seven thousand two hundred and ninety-six dollars, or more than sixteen per cent.

“ The difference in these two totals arises partly from cost of buying up the omnibus interests.

“ These statistics show that the business of street railways is of steady increasing importance—that the enterprise has been, so far, unquestionably successful. The investments have yielded large and regularly paid dividends, even on amounts of capital charged to construction which were partly consumed in the purchase of *imaginary omnibus rights*, and other expenses, amounting in total to nearly treble the actual cost for which roads without grading or bridging can now be built.”—(pp. 40, 41.)

“ The Treasurer should make up, once in three months, a blank form of report, showing the condition of the company's affairs, finance, and business, and this not by any process of calculation of what might have been, or what it may be estimated will be, *but from actual receipts and expenses*; let the exact profit be ascertained, the amount carried to profit and loss account, and all the expense accounts closed, ready for another quarter's business.”—(p. 93.)

“ On the Sixth Avenue Railway, New York, of three hundred and ninety-three horses and mules, only *three* were lost (and these by accident) in one year, and eighty of this number have been in the service of the company, day and night, for six years. Mules and small Canadian horses are recommended as being more hardy, surer-footed, and less liable to casualties. The system of grinding all feed has been generally adopted. The hay is cut by horse power. In the best managed stables, eight pounds of hay, with thirteen pounds of corn and oats, ground, is the daily allowance for each horse.”—(p. 96.)

Omnibus Company—213 horses, charges for feed.....	\$37,613 12
Four pounds wheat, at 1½ cents.....	7 cents.
Nine pounds barley, at 2 cents.....	18 cents.
Eight pounds hay, at 1 cent.....	8 cents.
Total.....	33 cents.
Two hundred and thirteen horses, three hundred and sixty-five days, at thirty-three cents per day.....	25,655 45
Excess of charge for feed.....	\$11,957 67

In Boston it costs twenty-five cents per day to keep railroad horses.

“ It is difficult to estimate the duration of cross-ties, as this will depend not upon the amount of work done on the road, but upon the quality of the timber and the vicissitudes of moisture and temperature to which they may be exposed. It is the result of experience that the superstructure of a railway does not decay and wear uniformly—that some portions require to be replaced from year to year, whilst others remain perfect for six, seven, or eight years; and in the course of eight or nine

years, under a judicious system of repairs, the whole of the timber will have been replaced."—(*Easton on Street Railroads*—p. 93.)

The Eastern roads carry the whole length of their roads for five cents; while the San Francisco roads charge ten cents, over certain distances.

"The permanent business of any thoroughfare which, if it had but barely maintained a line of omnibuses, will be amply remunerative to a railway company, and for these reasons: That the cost of transportation, including wear and tear of horses and cars, and repairs of railways, is much less in proportion to the capacity, than that of omnibuses, whilst the increase of business induced by such strong additional facilities, is as ten to one, or, where one person travelled by omnibuses, ten travel in the car; and this is the lowest estimate which the comparison of omnibus and railway statistics will allow."—(pp. 14. 15.)

It must be borne in mind, that in all the Eastern railroads, so far as the committee have been able to ascertain, the companies keep the street in repair the entire width, while in San Francisco the companies keep only two feet on each side of the track repaired.

In Cincinnati the rates of fare are fixed at four cents, and of this amount one cent for every passenger carried over the roads is paid into the City Treasury.

It is also much less expensive to keep a railroad track in repair in California than in the Atlantic States; the cost of keeping the road free from snow and ice, and relaying the track in the Spring, in consequence of frost raising the ties and rails, will more than equalize the additional cost of labor in California.

For the foregoing reasons, your committee are forced to recommend that the prayer of the memorialists be denied, and the accompanying bill be indefinitely postponed.

H. L. DODGE,
JOHN H. REDINGTON,
For Delegation.



MINORITY REPORT

OF

The Senate Judiciary Committee,

RELATIVE TO

SENATE BILL No. 48.

O. M. CLAYES.....STATE PRINTER.

REPORT.

MR. PRESIDENT :

The undersigned, of the Committee of the Judiciary, dissent from the report of the majority of said committee upon Senate Bill No. 48.

If we rightly understand the reasons which led to the introduction of this bill, or the report of the committee upon it, they resolve themselves into the single proposition : The appointing power is responsible for the present character and future conduct of its appointees, and should, therefore, have the unqualified and arbitrary power of removal which this bill contemplates.

Passing by military appointments, which rest upon considerations inapplicable to civil offices, we deny the correctness of the reasons and their attempted consequences.

Officers are not appointed for the purposes of indicating or enhancing the official character of the appointing power, nor are they to be removed from any such considerations.

The Constitution declares that "Government is instituted for the protection, security, and benefit of the people," and officers are but Government impersonated.

The appointing power is only responsible for a prudent and impartial exercise of the power at the moment of its exercise.

The doctrine of ordinary diligence is all that can be applied, and, in the opinions of the undersigned, it is all that public justice or judgment requires.

When an appointment or election is had, the authority or body making it will be naturally solicitous that the result shall be honorable; this desire will doubtless prompt correct and enlarged inquiry as to the character and capacity of the applicant.

When this inquiry has been had, and a judgment arrived at in consonance with the result of such inquiry, all responsibility is at an end on the part of him who appoints, nor can this *original* responsibility be changed or lessened by the power of removal.

If a vicious or incompetent person is appointed, his subsequent removal may, indeed, save the public, but it will *not* save the appointing power from criticism, nor from deserved censure, if it is ascertained that the power of appointment was exercised without circumspection and a cautious prudence.

We think that carelessness and inattention will be induced by the proposed course, and responsibility will be avoided by enabling any one in the quiet and silence of official life to cover up mistakes, and the false information by which such mistakes are induced.

We do not think, therefore, that the personal rights of the appointing power authorize this bill or the power of removal contemplated by it. We are now decidedly of the opinion that the public interests do not demand this power to be thus conferred.

It *secures* no good result. There are many officers who are elected by joint Assembly. None of these can be touched until the Legislature is in session. As to all such, the bill is a nullity. There are many others appointed by the Governor, "by and with the advice and consent of the Senate." As to all such, if the Senate is to be regarded as a part of the appointing power, the same result will follow; if, on the contrary, the Senate is only a confirming power, then it may well happen that an officer whose qualifications have *here* undergone the fullest examination, may, upon the adjournment of this Legislature, be removed, and another appointed to fill the vacancy by the Executive, without check, even when the precise point, and which led to removal, was fully investigated and passed upon by the Senate. To give executive position such power over the Senate is a claim to which we cannot assent.

As to the remaining class of officers, those which are appointed by the Executive for a given term, where the power of removal is not reserved in the Acts creating or governing the offices, we still say we do not think this bill *secures* any good result. If, with the largest means of knowledge, a bad appointment is made, there is no sufficient guarantee that mistakes will not be as liable to be committed in removal as well as in appointment.

Indeed, every successful candidate for office will be made the target at which every disappointed one will aim his shafts; every forgotten transaction, every idle word, every public rumor put in circulation by those interested, or whose self-love has been wounded by rejection, will be made the basis of charges upon which removal will be claimed and made. The patriot, who became such yesterday, will be successfully assailed by the veteran whose fealty dates back to the last election. The result will be that the few mistakes that may be committed in the appointments will be multiplied in the removals and the new appointments thereon, and the highest executive office, instead of presenting the aspect of an apartment filled by one whose sole function is to see the laws executed, will be a Golgotha—a place of skulls—the Great Seal of which would appropriately be an engraved "bow-string," at the sight of which every officer of this Government holding his office by appointment, shall only be permitted—murmuring that "God is great"—to bow his neck to the ligature.

Second—This bill is without any respectable precedent of which we are advised.

Third—It is counter to the common sense of those whose opinions ought to be valued by us.

Fourth—It provides for an amotion from office without accusation or trial.

Fifth—The whole proceeding is inquisitorial in character, opposed to

the whole system of open fairness which it is the intention of just laws to secure.

Sixth—It puts the administration of justice and government into the hands of a *man*, and not of the *law*.

We have not had the necessary leisure to examine the statutes of the various States bearing upon the above points.

We have, however, looked into the Constitutions easily accessible to us. No trace of any such extraordinary power is discernible. Indeed, it seems to have been regarded as so dangerous that the power of removal is surrounded with conditions and guards, to which this bill is an entire stranger.

There is no State having a constitutional provision bearing upon the term of an office having a fixed term—fixed either by Constitution or statute—where the appointing power can make an arbitrary removal. The nearest approach to it is in the Constitution of New York (Article Ten, section one):

“The Governor may remove any officer in this section mentioned within the term for which he shall have been elected, *giving to such officer a copy of the charges against him, and an opportunity of being heard in his defence.*”

The officers thus mentioned are purely administrative in character.

This Constitution, however, goes further, and compels legislation as to the causes and forms of removal.

A large number of Constitutions allow removals upon charges, and notice, and trial before the appointing power; a still larger allow removals by the Governor upon address by both Houses. *All* require that great, sole guarantee of justice—open trial. They put into the hands of the accused written charges; a face to face meeting between the accuser and the accused; and full power is secured to the officer to appeal, upon an unmistakable record, to the people, from whom all power emanates, and to whom all are, in terms at least, responsible.

All the Constitutions recognize the responsibility of all officers to the people, and the great embodiment of its will *the law*. They put the danger of improper officers, and they provide for this evil sufficiently in their judgments by short terms of office, and in case of crime or bad conduct, by trial, and they insist that these causes of amotion shall be ascertained by law. In Massachusetts they say:

“In order to prevent those who are vested with authority from becoming oppressive, the people have a right at *such periods and in such manner as they shall establish by the frame of government*, to cause their public officers to return to private life, and to fill up vacant places by *certain and regular election and appointment*. No person shall be arrested, imprisoned, or despoiled, or deprived of his property, immunities, or privileges * * but by the judgment of his peers or the laws of the land.”

It is the right of every citizen to be tried by Judges as free, impartial, and independent as the laws of humanity will admit. All these things are declared “to the end that it may be a government of law and not of men.” In that State it is provided that Notaries Public shall be appointed by the Governor, and shall hold their offices during seven years,

unless sooner removed by the Governor, with the consent of the Council, and upon the address of both Houses of the Legislature.

In Connecticut, New York, Virginia, Ohio, and many others, judicial officers are removable upon like address, usually of two thirds of both Houses.

In Pennsylvania "all officers for a term of years shall hold their offices for the terms respectively specified, only on the condition that they so long behave themselves well; and shall be removed on conviction of misbehavior in office or of any infamous crime." The same general provisions occur in other States—as in Georgia.

Nothing short of a full transcript of these Constitutions can do full justice to the scrupulous care with which the rights of men in office as well as out of office are protected from the assaults of power.

Sections six and seven of Article Eleven of the Constitution of California have a bearing upon the validity of the claims of this bill.

This bill does not profess to be an amendment of any former statute. It does not state the duration of any office, but it attempts to confer the power of removal to an already existing office, the duration of which is already declared by law. The *People vs. Jewett*, (6 Cal. R. 293,) seems to present some doubts as to the propriety of this attempted legislation. It was this doubt that led to the repeal of the Act creating a Commission of Emigration, and in eighteen hundred and sixty-two to the wider repeal of sections of the militia laws and the laws relating to Notaries Public. If those Acts and others like them were well advised, then this bill fails to comply with the alleged exigencies of the case.

The undersigned, however, dissent from the doctrines and effects of this bill, for the reason that it removes power unnecessarily still further from the people and their immediate representatives. The fervid attribution of power and right to the people are utterly vain when accompanied by persistent legislation, the only effect of which is to collect power in the hands of a single man—power which is to be exercised arbitrarily, and without the right anywhere to exact any account therefor.

It will induce confusion and disorder into executive administration in the contests which will ensue on every appointment or removal. The Executive mansion will be stormed, until at last from necessity the Governor will be obliged to put this executive function into the hands fit for such a job, and into the power of a conscience sufficiently unscrupulous to fitly perform it.

We think the Executive of California should be exempt from so disagreeable a task, and that his manifest desire to be quit of it should be gratified.

In many States all the officers who will be effected by the provisions of this bill are elected by the joint Assembly. If this bill is lost such an Act could well be passed, filling all those offices, upon nominations from the various local delegations, in a way furnishing the best guarantee against imposition, and relieve the Executive from a disagreeable function, having no necessary connection with the appropriate and essential duties of his office. The Legislature would have then consolidated the appointing power, and would alone be responsible for its proper performance.

SHAFTER,
J. E. HALE.





MAJORITY AND MINORITY REPORTS

OF THE

Assembly Judiciary Committee,

RELATIVE TO

ASSEMBLY BILLS Nos. 17, 90, 31, AND 109.

O. M. CLAYES.....STATE PRINTER.

MAJORITY REPORT.

MR. SPEAKER:—The Judiciary Committee, to whom was referred Assembly bill No. 17, proposed amendments to the Constitution; also, Assembly bill No. 90, proposed amendments to the Constitution; also, Assembly bill No. 31, proposed amendments to section three, Article Eleven of the Constitution; also, Assembly bill No. 109, Constitutional Amendments; and a petition signed by several persons, praying for the passage of a law requiring officers of this State to take an additional oath of loyalty; have had the same under their consideration, and after having given them their careful examination, beg leave to respectfully report the bills back, with recommendation of their indefinite postponement. Your committee, in returning the proposed amendments to the Constitution with a recommendation unfavorable to their adoption, have not been influenced, in the conclusion at which they have arrived, by any want of merit in the amendments, but on the contrary, if any change were, at this time, deemed advisable, those proposed would generally meet with the cordial approval of the committee.

The organic law should not, in the opinion of your committee, be subject to too frequent changes or alterations, as stability and certainty in any law or system of government always inspires respect and obedience, while uncertainty and frequent changes beget a spirit of restlessness, and a desire for innovation, which in the end will lead, if not to the subversion, at least to the weakening of the Government in its most vital part—its fundamental organization.

The Constitution provides for two modes by which it may be amended—one by the Legislature, and the other by Convention.

The former is intended to reach defects not of a general but rather of a special character, which experience as well as a particular condition of things many require, without affecting any very radical change in the instrument as a whole; the other mode, however, by Convention, is intended to work a radical change in the whole system, and is never resorted to unless demanded by imperious necessity.

For the first time since the organization of our Government, amendments proposed by the Legislature have been recently adopted, and the different departments under the new system have been put in motion.

Every department of the Government has undergone a change. The Executive term of office has been extended from two to four years, thus

enlarging and increasing in the ratio of four to two the influence and power of that department. The Legislative has undergone a corresponding change, and the Judiciary has been entirely remodelled, by not only increasing the number of Supreme Judges from three to five, but by extending the term of office from six to ten years; other less radical changes have been made, so that the organic law of the State may be said to have undergone important changes in all its most material provisions, and now, before we have fairly entered upon the new system, other and further changes are suggested, which, when we consider the great length of time that must elapse before they can take effect, as well as the present condition of our common country, render the policy of any change at the present time, to say the least, very questionable.

When amendments are proposed by the Legislature, they must receive the approval of two consecutive Legislatures, after which the proposed amendments must be submitted to the people for their ratification, in such manner and at such time as the Legislature shall prescribe, after which, if approved by the people, the same shall become a part of the Constitution.

As the Legislature only meets biennially, two years would necessarily elapse before the required submission to the people could be made, and unless the Legislature should be willing to devolve upon the State the great expense of a special election for that express purpose, two years more would elapse before the vote by the people could be taken, and even if the amendments were of such an imperious character that the Legislature might deem it proper to order a special election, subsequent legislation, as a general thing, is necessary to give practical effect to all changes in the Constitution; so that in any view that can be taken, it would require four years to elapse, before the proposed amendments could be made a part of the Constitution.

The only essentially important amendment which your committee have been called upon to consider is embraced in bill No. 31, and which is intended to throw additional safeguards around the elective franchise, by protecting our State from the ruinous and dangerous consequences which might follow a great influx of population from the rebellious States. Your committee are profoundly impressed with the importance and necessity of having some provision in the Constitution which would enable the Legislature to pass such laws as the exigencies of the times might require, for the purpose of excluding from voting or holding office all such persons as the Legislature guided by a wise discretion might deem necessary for the protection and purity of the elective franchise, and the consequent welfare and peace of the State.

As the Constitution now stands, the Legislature is restricted by the qualifications which it prescribes for voting, and is without the power to add to or take from the constitutional requirements, so that the most unmitigated traitor, if he could bring himself within the qualifications of the Constitution, his right to vote could not be questioned.

Again, if the amendment as proposed in bill No. 31 should be agreed to by the present Legislature, no human eye can now foresee what the future of two short years may produce; that which to-day may appear as an absolute necessity, to-morrow might be not only not necessary, but absolutely at variance with the fitness and requirements of the times.

In all human probability, the present rebellion will come to an end in less than two years, when peace will be restored to our poor bleeding country, and that too, upon a basis to which the States must necessarily conform.

The question may then be asked, is it not wiser, more prudent, and withal safer, to let our organic law remain as it is, until the curtain which now obscures the most far-seeing eye shall be raised, so that there may be no conflict, even in embryo, between the policy of the National and of our State Government?

Your committee for the foregoing reasons have recommended the indefinite postponement of all the amendments thus far submitted to their consideration.

The attention of your committee has been directed to the necessity of another and more pressing amendment to the Constitution than those already reported upon, suggested by a recent decision of our Supreme Court, by which the law allowing soldiers to vote, though temporarily absent from the State, is declared to be unconstitutional, and their votes treated as a nullity in the recent election.

If the decision were limited to the case before the Court, or even to the parties immediately affected by it, although even then the consequences would be serious in the extreme, still, it would not have produced the same intense feeling of alarm in the loyal mind of our people which it has done; but when its future operation is considered upon all our elections, so long as the war shall continue, and when, too, we consider the fearful moral effect of the decision upon the great cause of our country, no language is adequate to express the apprehensions of fear and alarm with which the public mind must inevitably be seized.

Such is, in the judgment of your committee, the nature of the necessity thus suddenly created, that if even the calling of a Convention to amend the Constitution would afford an immediate remedy, they would feel impelled by a sense of public duty to recommend it, because they think the occasion imperatively demands immediate and radical action on the part of the people.

But the Constitution having prescribed the manner and provided a mode by which a Convention may be called, and as in no event, if the prescribed forms of the Constitution are to be observed, could such Convention be convened until after the meeting of the next Legislature, when it would be too late to avert the impending storm.

Although the decision of the Court is sweeping in its character, still there is a point beyond which the Judicial arm can never reach; but all is not yet lost.

The Constitution contains the following provision:

“Each House shall choose its own officers, and judge of the qualifications, elections, and returns of its own members.”

From this provision it is clear that each House is the judge—*first*, of the qualifications; *second*, of the election; and *third*, of the returns of its own members, and from whose decision there is no appeal. The constitutionality of a law, therefore, allowing the soldiers to vote for Members of the Legislature, must be determined by the Legislature itself, without the aid or interposition of the Judiciary; so in regard to Members of Congress, where the same constitutional rule prevails, and the same principle is applicable to the election of Presidential Electors, so that a law authorizing the soldiers' vote to be counted in the election for Members of the Legislature, Members of Congress, and Presidential Electors, would not fall within the range of Judicial jurisdiction.

Thus far in the opinion of your committee the Legislative Department

is authorized to go, without in the least trenching upon the rights or powers of the Judiciary Department.

In arriving at this conclusion, your committee have not been unmindful of the high respect which is due to the decisions of our highest Judicial tribunal; and more especially to those decisions bearing upon organic law is respect due, and in a case like the one recently decided, when the last appeal must be made to the Judiciary, your committee would always recommend submission on the part of the Legislative Department; but when the effect of a decision is to deprive the Legislative Department of a constitutional right, the right to determine the qualifications, elections, and returns of its own members, it is no disrespect to the Judiciary for it to insist upon all its constitutional rights, as a separate and distinct department of the Government.

In conclusion, your committee beg leave to add, that in their view of the Constitution, they submit that these suggestions are fully sustained by that instrument.

The Constitution, after having performed the office of defining and fixing the qualifications of voters, and after surrounding the right of suffrage with all necessary safeguards, the most prominent of which is declared in these words, "For the purpose of voting, no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of the United States;" in contemplation of that provision, therefore, every California soldier now in the service of the United States, no matter where he may be stationed, within or without the State, is still, for the purposes of voting, a resident of the county or district in which he resided on the day he entered such service. The Constitution next proceeds to commit the whole subject of regulating elections to the discretion of the political department, in the following unmistakable language :

"The privilege of free suffrage shall be supported by laws regulating elections, and prohibiting, under adequate penalties, all undue influence therein from power, bribery, tumult, or other improper practice."

Here we find the whole power of supporting by proper laws the privilege of free suffrage confided to the Legislature. Now, it is a well settled principle of constitutional construction, that when a discretionary power is confided to the political department of the Government, when such power is once exercised, it is final and conclusive, and from which there is no appeal, and no review by the Judiciary can be made, because to do so, as it is said, would be treading on legislative ground.

With these views we, your committee, most respectfully commend the whole subject to the grave consideration of the Assembly.

CAMPBELL, of San Francisco,
Chairman.

MINORITY REPORT.

ASSEMBLY CHAMBER,
March 3d, 1864. }

MR. SPEAKER:—The undersigned, a minority of your Judiciary Committee, begs leave to report in favor of the passage of Assembly Bills Nos. 17, 31, 90, and 109, containing certain proposed amendments to the Constitution. The majority of the committee report that it is not advisable to adopt any amendments to the Constitution at this session. The importance of the proposed amendments is not denied. This session is like other sessions; this Legislature is like other Legislatures. The majority of the committee do not convey the idea that the amendments proposed could be adopted more appropriately at the next session or at any other session. There being no denial of the importance of the proposed amendments, and no suggestion that a future Legislature could with more reason adopt the amendments, the inference seems to be that the policy of the majority of the committee would lead, soon or late, to a project for a call for a Constitutional Convention. The question now arises whether it is better that the amendment should be made by the Legislature or by a Convention.

Amendment by the Legislature seems to be preferable for the following reasons:

First—Because projects for Constitutional Conventions are not popular. All the attempts to obtain such Conventions to amend the Federal Constitution and the State Constitution have failed. There is no reason to expect that such schemes for State purposes will find greater favor in the future. With this probability in view, we should either abandon the idea of amendments, or look to the Legislature for them.

Second—A Convention will be expensive—costing at least one hundred and fifty thousand dollars; whereas, amendment by the Legislature costs nothing.

Third—The Constitution adopted by a Convention must be accepted or rejected as a whole—whereas, amendments adopted by the Legislature can be voted for separately, and thus the people can select the good and reject the bad.

Fourth—A Convention is a single body, which may fall under the control of a clique or single individual, one of the great evils to correct which in the United States we have two independent legislative bodies. The rivalry between the two Houses is a most important part of our governmental

system; and the rule applies with the same reason to a Convention as to a Legislature. The Constitution adopted by a Convention is submitted to only one deliberative body, which will not sit longer than three months; Legislative amendments must be submitted to four independent bodies, and must be under consideration at least two years before final adoption.

Fifth—Two or three amendments are far more thoroughly discussed when taken separately than they would be if they were small parts of an entirely new Constitution.

Sixth—The experience of business and the progress of political ideas suggest minor changes of sufficient importance to deserve adoption, and yet not important enough to justify the calling of a Convention.

Seventh—It requires just as much time to revise the Constitution by a Convention as to amend it by legislative enactment; and a refusal to adopt amendments the importance of which is not denied, is equivalent to a rejection so far as the power of this Legislature can go. We are disposed to believe that some of the proposed amendments are worthy of adoption now. Governor Low in his inaugural message used the following language :

“Let us look to it here on the Pacific slope, that such safeguards as prudence may dictate be placed around this happy condition of things, to prevent the possibility of the current of civilized progress being stayed or turned back by disfranchised refugees from the rebellious regions.”

That language called forth an approving echo from all the loyal men of the State; and the only method of reaching the end proposed is by a legislative amendment to the Constitution.

The change of the meeting of the Legislature and of the inauguration of the State administration from December to January is also worthy of adoption.

HITTELL.

REPORT
OF THE
COMMITTEE ON CLAIMS,
MADE TO THE SENATE, RELATIVE TO
SENATE BILL No. 59.

O. M. CLAYES.....STATE PRINTER.

REPORT.

MR. PRESIDENT:—The Committee on Claims, to whom was referred Senate Bill No. 59, "An Act entitled an Act to provide for paying certain demands issued on the faith and credit of the State, which became due and payable on the second day of May, A. D., eighteen hundred and sixty-two, and to contract a funded debt for that purpose," have had the same under consideration, and ask leave to report:

That they find there is now outstanding about two hundred and twenty thousand dollars of the old Indian War Debt, evidenced by and consisting of war bonds and coupons, for the payment of which the faith and credit of the State has been pledged, as will fully appear by an Act passed May second, eighteen hundred and fifty-two, and other Acts supplemental thereto, under which said bonds were issued.

That said bonds, by the terms of said Acts, became due and payable on the second day of May, eighteen hundred and sixty-two, and no provision has been made for the payment thereof. The holders of said bonds and coupons have applied to former Legislatures to provide some way for the settlement of the aforesaid indebtedness, and your committee have carefully examined the proceedings of the various committees to whom the matter has been heretofore referred, and have been unable to discover any well founded objection to any part of this claim; on the contrary, all the arguments which have been adduced, based upon facts, militate strength in favor of the justice thereof.

In eighteen hundred and sixty-two the subject was discussed by Governor Downey in his annual message, in which he says, after summing up the total amount of this indebtedness—making it two hundred and eighteen thousand four hundred and sixty-eight dollars and fifty-four cents (\$218,468 54): "These bonds mature in eighteen hundred and sixty-two; the faith of the State is pledged to their payment, and if Congress will not assume this debt, as it properly should, the State ought to make provisions for its liquidation"—which part of the Governor's Message was referred to a select committee of the Assembly, who, after a thorough examination of the subject, reported a bill similar to the one which your committee have considered, and recommended its passage. Said special committee consisted of the present Lieutenant-Governor of the State, the present Attorney-General, and Messrs. Hillier, Morrison, and Worthington.

The holders of these bonds and coupons claim that they were entitled to the money therefor when the same became due, but, owing to the embarrassed condition of the finances of the State, they have been and now are willing to accept bonds of the State therefor, as provided in the bill referred to your committee.

Your committee is of the opinion that the settlement of these claims with the holders cannot longer be delayed without great injury to the credit and a serious violation of the faith of the State, which has been unconditionally and unqualifiedly pledged for their redemption.

Therefore, they report back the bill, and recommend its passage.

JOHN P. JONES, Chairman,
GEORGE S. EVANS,
W. E. LOVETT,
Of the Committee.

MINORITY REPORT

OF THE

COMMITTEE ON CLAIMS,

MADE TO THE SENATE, RELATIVE TO

SENATE BILL NO. 59.

O. M. CLAYESSTATE PRINTER.

MINORITY REPORT.

MARCH 2d, 1864.

MR. PRESIDENT:—The undersigned, members of the Committee on Claims, to whom was referred Senate Bill No. 59, entitled an Act to provide for paying certain demands issued on the faith and credit of the State, which became due and payable on the second day of May, A. D. eighteen hundred and sixty-two, and to contract a funded debt for that purpose, respectfully submit the following report for the consideration of the Senate :

That we concur with the majority report of our associates on the committee, so far as the same relates to the bonds issued after January first, eighteen hundred and fifty-four, and we fully recognize the justness and equity of this portion of the claim, but differ materially from the conclusions arrived at in relation to the coupons or interest which accrued from January first, eighteen hundred and fifty-four, to August eighteenth, eighteen hundred and fifty-six, believing, as we do, that the holders of the bonds at the latter time, by surrendering the same, tacitly assented to a full and complete settlement of their claims, for it was optional with them either to retain the bonds as evidences of indebtedness against the State, or settle in the manner in which they did, directly with the Federal Government, thus relieving the State from all further responsibility in the matter. It is a matter of history that notorious frauds were committed in the issuance of these bonds, and had the original vouchers on which they were issued been of a proper character, there would have been no difficulty in obtaining the amount appropriated by Congress, without any delay ; but such not being the case, the Commissioners (at the urgent solicitation of the bondholders, as your committee are led to believe) procured the passage of the Act of August eighteenth, eighteen hundred and fifty-six, authorizing the bonds to be received as original vouchers, as the best thing that could be done for the interest of the holders. Your committee are of opinion that, from the outset, the State merely seemed to assume the agency of paying these claims, and expected to be remunerated by the General Government, hence the Acts of eighteen hundred and fifty-one and eighteen hundred and fifty-two. Congress passed an Act to pay *to the State*, on presentation of claims ; then, out of interest to the bondholders, the State sent Smith and Denver as Commissioners. The course they saw proper to pursue was certainly not such as the State

had a right to expect, and gives strength to the general assumption of collusion ; but, owing to the extreme difficulty the State labors under in obtaining evidence in all cases, it has not been in our power to procure direct testimony establishing the fact.

What strengthens the assumption, however, is the peculiar wording of the Act of eighteen hundred and fifty-six, relative to the payment to the holders of the bonds, after detaching the coupons that may remain unpaid, without any special provision for their return to the holders of the bonds. The question naturally arises as to who suggested the detaching of the coupons. Did not the agents exceed their agency in thus, as they claim, returning the coupons to the holders of the bonds? Who authorized them thus to act? If the money had been transferred directly to the State, can any one doubt but that the holders would willingly have surrendered both bonds and coupons for the amount which they received, as they would not have been due until eighteen hundred and sixty-two, and were drawing but a small rate of interest? The claim, if a valid one, is good against the General Government alone, as by the Act of eighteen hundred and fifty-six, legalizing the bonds as vouchers, the whole matter was taken out of the hands of the State.

This view of the case is supported by the action of the Committee on Military Affairs of the United States Senate of eighteen hundred and sixty-one, who reported an amendment to the Army Appropriation Bill, authorizing the allowance of the same by the General Government, but which amendment was signally defeated when the history of these coupons came to be ventilated on the floors of Congress. Why do not the claimants apply to the Courts for redress, as they have been threatening to do, for these two years or more?

Your committee are of the opinion that no Court of Equity would admit the validity of the claim, at least as against the State. This claim has been before two Legislatures, and rejected by both ; and that, too, without, as your committee think, any violation of the faith or credit of the State.

While admitting the justness of the State issuing new bonds in lieu of those issued after January first, eighteen hundred and fifty-four, we are clearly of the opinion that the aforesaid coupons do not constitute a just and equitable claim against the State of California.

(Signed :)

L. M. FOULKE,
A. C. HENRY.

MINORITY REPORT
OF THE
COMMITTEE ON HOSPITALS
OF
THE ASSEMBLY.

O. M. CLAYES.....STATE PRINTER.

REPORT.

MR. SPEAKER:—The minority of your Committee on Hospitals beg leave to offer the following report :

In the performance of the duties assigned them by the Assembly they visited, at different periods of the session, the various charitable institutions mentioned in "the majority" report, and though concurring with it in some respects, and cordially indorsing it in others, yet on one point we feel that we must dissent in toto from the conclusion at which "the majority" have arrived. What we refer to is, their verdict on the unhealthiness, and, per consequence, the unfitness of the localities of the State Reform School at Marysville, and the Insane Asylum, for all curative purposes.

And here we confess that the State of California has been unhappy in the selection of sites for her public institutions ; and this is to be the more regretted since the State abounds in felicitous sites, against which not a single objection can be urged. The present localities are wanting in everything that pleases and interests the eye ; there is not that alternation of hill and valley, that picturesque diversity, that relieves the dreary monotony of the prospect. There are other disadvantages of which we might speak ; but that the localities of these two institutions are so unhealthy as to render them unfit for curative purposes, we do not believe ; nor is the evidence presented in "the majority" report sufficient, in our opinion, to establish such a sweeping conclusion.

And first, let us refer to their description of the locality of the State Reform School as given in "the majority" report. It appears to us they must have made a slight mistake, and had in view the site of some other institution, so little does it correspond in its topographical features with the impression that a thirteen years' acquaintance with the locality has left on our mind. We have no recollection of "cess-pools," or pools of "stagnant water," nor are there any such in the vicinity of the building. It is true, that once within the memory of man, the table ground on which the institution stands was covered with water for a few hours—and but once since eighteen hundred and forty-nine. But if such inundations were frequent the consequences could not be serious, as the surface of the ground very soon becomes dry, the process being greatly facilitated by the porosity of the soil. The "luxuriant vegetation," and tall grass, spoken of in "the majority" report, certainly was not found in the vicinity of the State Reform School at the time the committee made their visit. In truth, it was difficult to find any vegetation at all. Some of the members, however, using glasses, to them it may have been somewhat magnified, as was the "miasmatic exhalations" arising from the decomposition of the

same. The building stands on a table land, some eighteen or twenty feet above the alluvial bottom, which in places skirt the river. On the latter ground, and also on the immediate banks of the streams, from the foot hills to the bay, in certain seasons of the year, a mild form of fever is found. But these strips of land are very narrow, and cultivation is rapidly changing its malarious tendency. It is a truth universally admitted by the medical profession, that all virgin soils, when first upturned to the air, produce a condition of the atmosphere that generates "fever and ague." But this gradually disappears under the various processes of farming; the agitating the soil causing the poisonous gases to escape, so that after a few years not a trace of them will remain. As free from malaria as New England now is, there *was* a time when the banks of the Penobscot, the Kennebec, the Merrimac, and the Connecticut, were fruitful in "shakes." The same influence that has forced this arch enemy from its haunts on those waters will be active in its operations in this country, and will be followed by the same result, for the laws of Nature are eternal, and are everywhere the same. We acknowledge that the State Reform School is a failure, from what cause, or causes, it is not necessary here to state; suffice it to say that unhealthiness of site cannot be numbered as one of them; on the contrary, we are satisfied that the building may be successfully used and occupied for any sanitary purpose the Legislature in its wisdom may deem proper.

As regards the Insane Asylum, at Stockton, "the majority," by comparing the records of eighteen hundred and sixty-two and eighteen hundred and sixty-three with those of similar institutions in the East of the same years, have produced a showing apparently unfavorable to the former. But let the comparison extend back to eighteen hundred and fifty-one, and include the intervening years, and it will show a very different result. There are sufficient reasons why the "exhibit" of eighteen hundred and sixty-two and eighteen hundred and sixty-three should present a less favorable aspect, in the overcrowded state of the institution. When your committee was making its visit, in accompanying the Physician in his round, after ten o'clock in the evening, we found every aisle, passage way, and corridor crowded with mattresses, on each one of which reclined some unfortunate inmate, and this was in addition to the rooms, which were everywhere filled to repletion. In this condition of things is it wonderful that recoveries are less numerous than could be desired? that the health bill is less favorable than could be wished? It would be strange, and almost miraculous, were it to prove otherwise. So confident are we that this "overcrowding" has been the main cause of the unfavorable showing of the last two or three years, that we feel assured if this is relieved a result will follow that will compare favorably with any similar institution in the United States. In view of this, we recommend that a portion of the class of "incurables" now in the Insane Asylum at Stockton, be removed from that place to the State Reform School building, near Marysville, after it shall have been finished in a proper manner. The relief thus afforded the institution will, in our opinion, render unnecessary the further erection of buildings at present. We also recommend the continuance of the Hospital tax levied at the last session till the session of the Legislature of eighteen hundred and sixty-six; the money arising from this source to constitute a Fund to be used for Hospital purposes alone in such manner as the Legislature may determine.

WESTON.
HUBBARD.

REPORT

OF THE

Committee on Public Buildings

OF THE

ASSEMBLY.

O. M. CLAYES.....STATE PRINTER.

REPORT.

MR. SPEAKER :

The Committee on Public Buildings, who were instructed through a resolution of this House, adopted December twenty-first, eighteen hundred and sixty-three, to obtain all information attainable with reference to the past, present, and future, so far as its construction is concerned, of the new Capitol Building, beg leave, in accordance with such resolution, to report that a contract was entered into for its construction on September twentieth, eighteen hundred and sixty; that the plans under which the building has been and is now progressing are those of Reuben Clark, Esq.; that the time that will necessarily intervene, under the existing method of appropriating the means for carrying on the work, before the building will be available for the purposes of the State will be about twenty (20) years—but in the opinion of the Architect, if sufficient means are provided, the building may be used for all the purposes the State requires in three (3) years; and the Architect further gives it as his opinion, that the issuance of one million (\$1,000,000) of bonds would insure the above result, and finish the entire building, with all the improvements recommended by your Committee, thereby saving a large amount in salaries, which would otherwise be entailed upon the State. Your Committee would also state that they find the amount of warrants drawn, up to January first, eighteen hundred and sixty-four, in connection with the work, amount to one hundred and ninety-nine thousand and thirty-five dollars and ninety-four cents, (\$199,035 94,) while the amount actually expended on the work up to the same date, to be one hundred and forty-four thousand seven hundred and twenty-five dollars and ninety-four cents, (\$144,725 94,); they also find that the State is now paying a rental for its various purposes amounting to at present thirteen thousand three hundred and sixteen dollars, (\$13,316 00,); this sum, multiplied by the number seventeen, which is the difference in years that the State will, under existing circumstances, and the number under which she may have the use of her Capitol, will amount to two hundred and twenty-six thousand three hundred and seventy-two dollars, (\$226,372 00.) Your Committee, in company with the Superintendent and Architect, Mr. Reuben Clark, personally inspected every portion of the Capitol Building, so far as it is at present constructed, and, as well as they are competent to judge of such matters, the work is

most completely and thoroughly done, while none but the best of materials are permitted to enter into the structure. A most perfect and enduring foundation has been laid, such as in fact is not only capable, but which ought and doubtless will sustain a superstructure worthy of it and the great State of California. They would also state, that they examined with a careful minuteness a species of what is called freestone, but more properly a compact of sandstone, which, while it appears susceptible of a high finish at a more reasonable or less cost than granite, would, in the opinion of your Committee, present a more handsome appearance than the latter material. They were informed by the Architect that it was obtained from some portion of Yolo County, and that he (the Architect) had taken the quarry up in the name of the State, for its uses. Your Committee do not desire to recommend its use, however, until the opinions of more competent persons are obtained as to its fitness in the construction of so costly and important a work as the State Capitol Building. Mr. Clark suggested the use of a fire-proof substance in the construction of the floors, etc., in place of wood or other perishable and inflammable material. The use of a material that would in any way endanger a building of this character, your Committee of course suppose is not to be entertained; they therefore recommend that none such be permitted to enter into any of its exposed or permanent parts. Another suggestion, also, was as to the best, healthiest, and most economical method of artificially heating the interior. Your Committee were informed by the Architect that the building, if not interrupted, will soon have advanced to a condition when it will be necessary for him to know as to the premises, as some necessary modification in the construction will have to be made, in conformity with the material and method concluded upon. From a partial knowledge on the subject of a portion of your Committee, and from all information attainable, we unhesitatingly yield our preference to steam, as combining the best known agents for the purpose of heating large buildings. They therefore would recommend its most approved application.

Finally, your Committee would recommend that no illiberal or parsimonious spirit of economy be permitted to rule or enter into the management or construction of this work, but that it may be, as the people desire, an honor to the State.

F. LUX,
J. H. BEAMAN,
R. C. SCOTT,
J. R. WATSON

REPORT

OF THE

Committee on State Prison

OF

THE ASSEMBLY.

O. M. CLAYES.....STATE PRINTER

Standing Committee of the House on State Prison.

FRANCIS TUKEY, Chairman	of Sacramento.
A. WILEY.....	of Humboldt.
J. D. PRATT.....	of Placer.
J. W. RULE	of Nevada.
T. W. McCOLLIAM.....	of San Francisco.
S. JOHNSON ..	of Marin.
A. DEVOE.....	of Santa Cruz.



REPORT.

Mr. SPEAKER:—In the performance of the duty assigned them, your committee visited the State Prison in the month of January, eighteen hundred and sixty-four, in company with the Lieutenant-Governor and the honorable Secretary of State. We had ample opportunity to examine every portion of the buildings and condition of the prisoners.

Your committee desire to express their entire satisfaction with the manner in which ex-Lieutenant-Governor Chellis—who has had the chief management of the Prison for the past two years—has conducted the same; also, to express their approbation of the manner in which the books of the institution are now and have been kept for the past two years; also, of the sanitary condition of the Prison, showing great ability and care on the part of the Visiting Physician, Doctor Stillman.

The location of the Prison at Point San Quentin is both healthful and beautiful, being on the west side of the bay, about twelve miles north-erly from San Francisco. It seems to be difficult to ascertain the pre-cise quantity of land belonging to the State at this place, or the title to the same. The report of the Senate committee says:

“COST OF LAND.

Bought of R. R. Buckelew, twenty acres.....	\$10,000 00	
Archibald Woods, sixteen acres.....	40,000 00	
John Center, same land.....	12,000 00	
Paid into Court for land condemned	17,000 00	
Total.....		\$79,000 00

“TITLES,

“To first twenty acres, good; grant on file in United States Surveyor-General's office in San Francisco. Deed to John Bigler, for the State of California; on record in Marin County Recorder's office. Deed of A. Woods conveyed no title. Deed of John Center good, but not on record in Marin County, nor on file in the office of Secretary of State. Land condemned, still in Court, and money also.

"The officers of the State have lately been ejected from the forty acres of ground west of the Prison walls (the line running within twelve feet of them) by Mr. Sims, holding under a patent from the State, granted to J. F. McCauley.

"A judgment for damages has been obtained against Mr. Chellis, Warden of the Prison, for two thousand two hundred dollars, and his private property is levied on and to be sold. Relief should at once be afforded him."

EXTENT OF GROUNDS INCLOSED BY WALL.

Height of wall, ranging from twenty to thirty feet; lower portion, from six to twelve feet, of stone; upper portion, of brick. The area of ground inclosed is about five acres.

BUILDINGS INSIDE OF WALLS.

Prison Building, (of Stone)—Length, one hundred and eighty feet; width, twenty-eight feet; height, about twenty feet, (two stories;) thickness of wall, two and ten twelfths feet.

Office of Turnkey and Lieutenant of Guards (Brick Building)—Length, forty feet; width, twenty feet; height, about twenty-four feet, (two stories.)

"County Jail," (Brick Prison)—Length, forty feet; width, thirty-six feet. Basement of heavy stone masonry—two stories above, of brick.

Tailor Shop, adjoining Jail (of Brick)—Length, one hundred and two and one half feet; width, thirty-six feet; height, two stories. (about eighteen feet.

Dining Room and Kitchen, adjoining Tailor Shop, and in line with both last named buildings, (of Brick)—Length, two hundred and sixty-one feet; width, thirty-six feet; height, one story.

Blacksmith, Cooper, and Carpenter Shops, (of Brick)—In one building, attached on west side against basement of three last named buildings. Length, four hundred and three and one half feet; width, thirty feet; height, one story.

Laundry, (of Brick)—Length, thirty-six feet; depth, twenty-nine feet; height, one story.

Machine Shop, (of Brick)—Now being converted into shape to manufacture harness, whips, and saddlery. Length, one hundred and sixty feet; width, eighty feet; height, about thirty feet. Two small rooms projecting on west side, about ten feet square, each.

BUILDINGS OUTSIDE OF PRISON WALLS.

Main Building, Officers' Quarters, (of Brick)—Front, fifty-three feet; depth, forty-one feet; height, two stories.

Dining Room and Kitchen, (of Brick)—Attached to the last named building. Length, sixty-three feet; width, twenty feet; height, one story.

Clerk's and Commissary's Office, (of Brick)—Length, fifty-two feet; width, thirty-two feet; height, basement and one story. (Basement, stone.)

Barn, (of Wood)—Length, fifty feet; width, forty feet.

Slaughter-house—Small wood building.

Wood sheds, (of Wood)—One inside, about twenty feet square; one outside, length, sixty feet, one story.

Guards' Towers, (of Stone)—Five, (small.)

Land Inclosed—One field, (pasture,) about fifty acres; one garden, about four acres; one poultry yard, about three quarters of an acre.

Building over West Gate, (of Brick)—Length, about thirty feet; height, two stories.

We herewith present as accurate an account of the appropriations of past years as we can obtain from the reports of the Controller and Treasurer of State:

<i>Year ending June 30th, 1852.</i>		
Salary of Inspectors.....	\$3,375 00	
		\$3,375 00
<i>Year ending June 30th, 1853.</i>		
Land of Buckelew	\$10,000 00	
Salary of Inspectors and Commissioners.	6,967 79	
		16,967 79
<i>Year ending June 30th, 1854.</i>		
For erecting Prison.....	\$135,000 00	
Salary of Commissioners.....	1,003 33	
		136,003 33
<i>Year ending June 30th, 1855.</i>		
Salary of Inspectors.....	\$7,293 33	
Extra work on Prison.....	10,535 90	
		17,829 23
<i>Year ending June 30th, 1856.</i>		
Salary of Inspectors.....	\$100 00	
Salary of Directors.....	10,074 93	
Labor and material.....	172,906 56	
Purchase of property.....	47,447 70	
Attachés.....	52,254 15	
Temporary support.....	15,000 00	
Supplies and materials.....	32,000 00	
Paid lessee (Estell).....	40,000 00	
Lieutenant-Governor, as member of Board of Commissioners.....	260 00	
Expenses of Board of Commissioners.....	100 00	
		370,174 14
<i>Year ending June 30th, 1857.</i>		
Salaries of Directors.....	\$6,416 66	
Paid Lessee (Estell).....	75,000 00	
Salaries of Directors, etc.....	200 00	
Contingent expenses of Commissioners.....	100 00	
Relief of State Prison, paid Estell.....	5,000 00	
		86,716 66
<i>Year ending June 30th, 1858.</i>		
Salaries of Directors.....	\$790 80	
Lessee (Estell).....	90,000 00	
Temporary government	10,000 00	

Expenses of Prison.....	\$29,302 50	
Preparing plans, etc.....	2,796 00	
Brown, for supplies.....	10,111 00	
		\$143,250 30
<i>Year ending June 30th, 1859.</i>		
Support of Prison.....	\$49,700 00	
Salary of Directors.....	2,700 00	
Fees paid Counsel.....	700 00	
Judgment—McCauley vs. Weller.....	17,654 20	
		70,754 20
<i>Year ending June, 1860.</i>		
Support of Prison.....	\$80 00	
Salaries of Directors.....	2,690 00	
For Prison Library.....	373 19	
Resident Director, (Walkup).....	2,230 00	
		5,373 19
<i>Year ending June 30th, 1861.</i>		
Support of Prison.....	\$72,938 90	
Cancellation of Contract.....	275,000 00	
		347,838 90
<i>Year ending June 30th, 1862.</i>		
Support of Prison.....	\$23,439 12	
John Center—Property.....	12,000 00	
		35,439 12
<i>Year ending June 30th, 1863.</i>		
Support of Prison.....	\$86,335 88	
		86,335 88
Total		\$1,320,157 75

COST OF LAND.

Bought of R. R. Buckelew, twenty acres.....	\$10,000 00	
Archibald Woods, sixteen acres	40,000 00	
John Center, same land.....	12,000 00	
Paid into Court for land condemned.....	17,000 00	
Total		\$79,000 00

As near as the committee can judge, the present value of the buildings and other improvements is about one hundred and fifty thousand dollars.

Here, then, we have an institution which has cost this State one million four hundred thousand dollars (\$1,400,000,) which to-day has two law suits hanging over it, and its whole value at the outside is not more than ten (10) per cent of its cost.

The Directors have been preparing an estimate of the amount necessary to erect another building, put an additional story upon the present one, and to provide the necessary separate cells. For this purpose they ask an appropriation of forty or fifty thousand dollars. An appropriation of *twenty thousand dollars* (report of Committee on State Prison for eighteen hundred and sixty-two, page five,) for the same purpose was asked for in eighteen hundred and sixty-two, and the Legislature refused to make it.

A State Prison should be a place for the *confinement* and *reformation* of prisoners. This place at San Quentin is neither. It is a corral inside of four brick walls, where two hundred and fifty young and inefficient men are educated in crime by two hundred and fifty older ones; it is a School for crime; a disgrace to the State, to civilization, and Christianity; and such it will always be while the present system of government or buildings are adhered to.

Ages of Prisoners.

Age.	Number.	Age.	Number.
Twenty years and less.....	28	Thirty to forty years.....	67
Twenty to twenty-five years.....	120	Forty to fifty years.....	47
Twenty-five to thirty years.....	152	Fifty years and upwards.....	12
Thirty to thirty-five years.....	125	Total	551

Classification of Crime.

Character.	Number.	Character.	Number.
Murder.....	9	Attempt to commit arson.....	2
Murder, Second Degree.....	79	Forgery	3
Manslaughter.....	39	Perjury	2
Assault with intent to kill.....	31	Embezzlement.....	.....
Assault with deadly weapon.....	4	Counterfeiting.....	4
Mayhem.....	3	Receiving stolen goods.....	2
Rape.....	11	Breaking jail.....	1
Assault with intent to rape.....	8	Felony.....	1
Crime against nature.....	3	Grand larceny.....	204
Robbery.....	51	Attempt to commit grand larceny...	1
Assault with intent to rob.....	6	No charge specified.....	1
Burglary	75	Total.....	551
Attempt to commit burglary.....	2		
Arson.....	9		

Occupation when Sentenced.

Occupation.	Number.	Occupation.	Number.
Artist	1	Musician	1
Blacksmiths	9	Miller	1
Bakers	6	Printers	2
Butchers	4	Physicians	2
Brickmasons	2	Painter	1
Barkeepers	3	Plasterer	1
Boilermakers	1	Ropemakers	5
Cooks	28	Shoemakers	9
Cabinetmakers	1	Seamen	35
Cigarmakers	4	Stonecutter	1
Carpenters	16	Silversmiths	2
Chandler	1	Slater	1
Clerks	10	Seamstresses	2
Coopers	2	Saddlers	2
Druggist	1	Tailors	9
Farmers	18	Tinner	1
Gilder	1	Teacher	1
Glass blower	1	Upholsterer	1
Laborers	305	Vaqueros	10
Moulders	3	Waiters	5
Miners	14	Wood Turners	2
Machinists	2	Washmen	15
Merchants	6	Wheelwrights	3
		Total	551

Of the past we need not speak. The numerous escapes, the various outbreaks, the scenes of danger and terror, and the great loss of life that have frequently startled the people of the State, are too recent and well known to require more than simple mention. Entering through two strong and well guarded gates, we found five hundred and fifty-five prisoners. Three or four hundred were at large, for the most part lounging listlessly about, a few gathered in groups for conversation, some playing games; here and there a Spaniard knitting or braiding a hair sinch or bridle-rein, and three or four with a book.

In the tailors' shop some thirty or forty were at work; as many more in the shoe shop; twenty-five or thirty in the coopers' shop; a dozen in the blacksmiths' shop. These were working for contractors, at thirty or fifty cents a day. A few were engaged in the laundry and in the various shops belonging to the State; a few more busied about the necessary repairs for the Prison itself; and about one hundred in the sanitary work of the Prison.

On the hills around, and on the walls of the Prison, were the guard, with their cannon and rifles. At night one hundred and ninety-two of the prisoners are lodged in cells, (six feet wide, ten feet long,) four in each cell, in the second story of the stone building of solid masonry, securely fastened. On the ground floor, Room A, thirty-five Mexicans and Indians are fastened; in Room 1, twenty-three negroes; in Room 2, thirty-five whites; in Room 3, thirty-eight whites; in Room 4, thirty-five Mexicans; in Room 5, thirty-five whites; in Room 6, fifty-four Chinese. In another building, called the New Prison, in the room named the County Jail, (because the prisoners of Marin County were formerly confined there,) were thirty whites; in Room D, thirty-two whites; in Room E, thirty-one whites; in the Hospital, eleven; in the Female De-

"This suggestion met with but little favor, and no action was taken upon it. It seems to me there are not a few persons in public life who fear that anything like sympathy for a prisoner is proof of their sympathy with crime, and that they illustrate their own very superior claims to virtue by ignoring assistance to the unfortunate. Many I found who had only a sneer or a smile for the mistaken interest I exhibited for convicts.

"Again I recommend through your Excellency to the Legislature that this subject is worthy of consideration. I am convinced there are men in the State Prison who are innocent of crime; there are many who have been barbarously punished by the length of term imposed; there are many who, having committed a first offence, might be restored to society by the exercise of judicious clemency.

"I renew the suggestion of the appointment of a Legislative Committee as involving considerations of justice and humanity."

The following extract from the report of Dr. Stillman, the Visiting Physician at the State Prison, will also show that such a man may be useful to the State:

"This may not be the place, and I may not be the proper officer, to refer to the moral bearings of our present system of prison discipline—a system for which the Legislature of the State is alone responsible. The fundamental principle upon which society claims the right to deprive a criminal of his liberty is violated when, in addition to depriving him of his liberty, it surrounds him with conditions that make him tenfold more dangerous when he is again set at liberty. It has converted an offender of one law into a wretch, who, by constant familiar intercourse with the most desperate criminals, is prepared to violate all law. He carries with him a conviction that society has done him a greater wrong than he ever perpetrated upon society. There is hardly a traveller robbed on the highway, or a daring act of burglary perpetrated in the State, but some graduate of our State Prison is not found to be the master spirit. There they have learned each other well, and they know whom to trust. When a dangerous man is discharged, his band are ready to receive him, or he goes at once to their haunt, of which he has been well informed. But alas! for the poor prisoner whom not even the brutalizing influences of such associations, the withering blight of the cold world's scorn following him everywhere, could make a professional thief of. If despair and revenge do not make a highwayman of him, it is because he is too great a coward, or a better man than the majority of mankind.

"In all our large Eastern States there are associations formed for the benefit of the prisoner, to encourage him in the way of reformation, and to furnish him the opportunity to lead a useful life. There are many very intelligent and well meaning men whom unfortunate passion has consigned to Prison. The labors of these philanthropic societies save many such from utter ruin. Here we have no such society; to the inmates of our State Prison, when their terms of confinement expire, there is no shrine of refuge—'the earth beneath them is of iron, and the sky above is brass.' I have given serious offence to a Christian gentleman for trying to aid a prisoner, whose term of four years had been completed, and his conduct and evidences of future good conduct had been satisfactory, by soliciting for him the opportunity to work his passage from the State, and reach those friends who knew him in his better

days. How we abominate unsuccessful crime! May God not deal with us as we deal with His unfortunates?"

Your committee earnestly recommend the immediate employment of such a person, and an appropriation to purchase a suitable library for the prisoners. In the opinion of your committee a system of rewards should be established, giving to the prisoners, as a capital to start upon, all his previous good character, all the palliating and mitigating circumstances of the offence of which he is convicted, and adding to this credit for his industry and good conduct within the Prison, and in the ratio of these let his term be shortened.

The third requisite is discipline. Towards this very little advance can be made while so many are idle during the day, and herded together for the night.

Another want of the prisoners is good and uniform clothing. In her poverty and economy the State has thus far furnished barely enough of bedding for comfort, and of clothing only shoes, trousers, shirts, and caps, have been provided. The caps have been almost universally refused and rejected.

For coats and other garments, prisoners depend upon what they brought with them, or what they can barter for with one another, with contractors, and visitors. The appearance they present is extremely variegated, and frequently exceedingly dilapidated as to their outer garments; many are literally in rags; the regulation uniform is much needed.

Next to the separate confinement of prisoners, your committee are of the opinion that nothing adds more to discipline than a uniform, and they recommend the adoption of one for all the prisoners, thereby in a great measure preventing escapes, and rendering recapture more easy and certain. This uniform could be cheap, and be manufactured within the Prison walls. A small amount of machinery would be sufficient, not only to furnish all the clothing and blankets for the prisoners themselves, but as well those articles for other public institutions of the State for which large appropriations are annually demanded. The cost of the machinery would be saved to the State in one year, nor would it interfere with any branch of industrial labor.

The Directors are now paying one hundred dollars a month for a supply of fresh water. The works can be purchased, and this ought to be done at once.

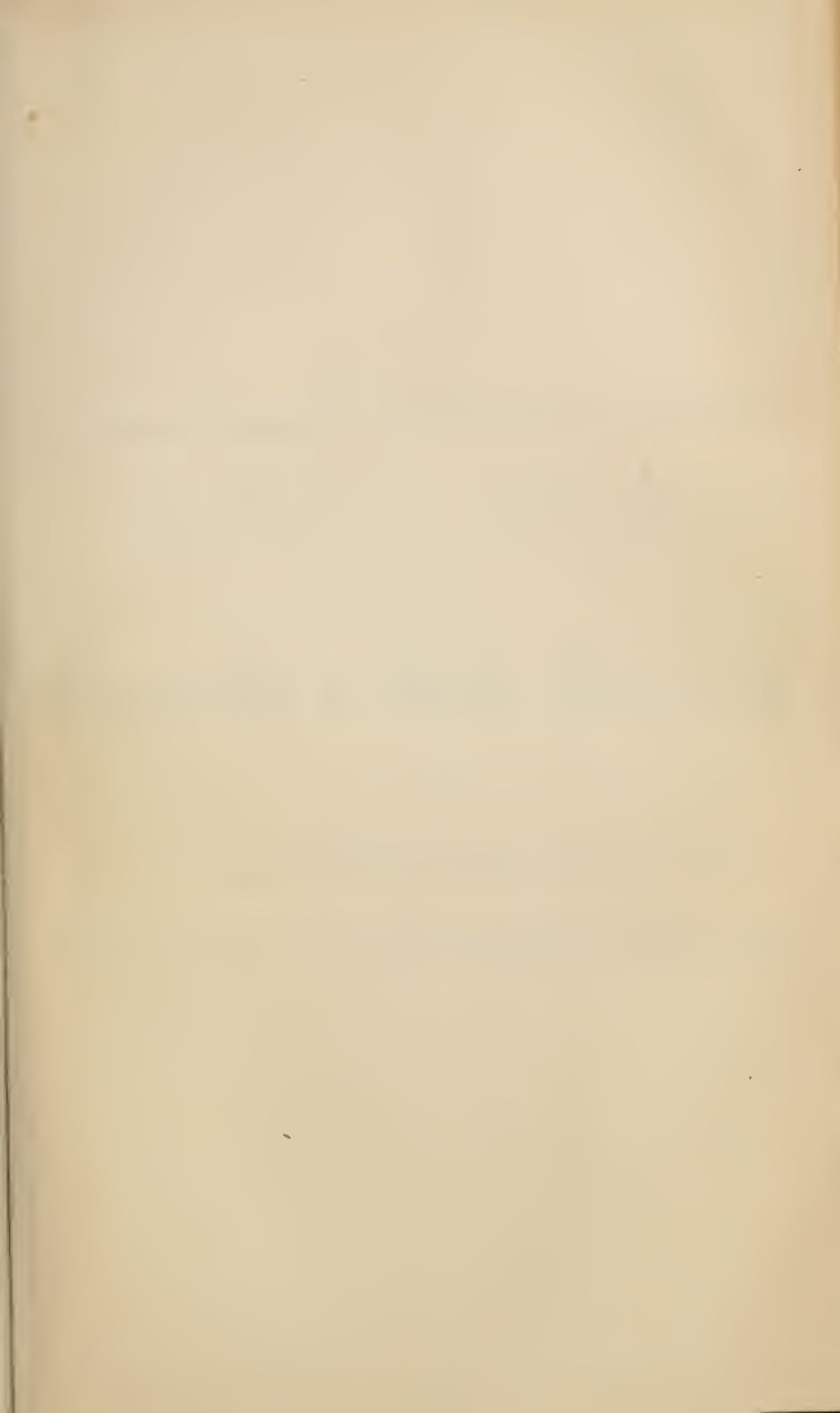
Your committee protest against the employment of the prisoners or the letting them out to capitalists at a low figure (thirty cents per day) to be employed in any of the classes of mechanical labor that will interfere with our own mechanics. The education and employment of Chinamen as tailors, boot and shoemakers, harness makers, etc., against the interests of the mechanics of this State is wrong. Men who pay State, county, and city taxes, besides this, have to pay city, county, State and United States licenses, and also a United States tax or per cent on all their manufactures, cannot compete against such labor, and it would be better for the State to maintain them in idleness at their present cost (say fifty thousand dollars a year) than to put such labor in competition with any branch of industrial labor. Many of the contractors have failed to pay the State, and large sums of money are now due from them, and a claim is made against the State for the large brick building (Thos. Ogg Shaw building) built by one of them inside the Prison walls.

Your committee, however, are in favor of the employment of all the prisoners, and believe, with their knowledge of other Prisons in other

States, that no system is perfect unless it is self-supporting; and in California, where labor is so scarce, they do believe that the Prison can be made not only self-supporting, but a source of income. It appears to be conceded by all parties that to secure either of the objects sought to be accomplished by a Prison, viz: confinement, discipline, or reformation, or to make the prisoners pay their own expenses, it will be necessary to build other and more suitable buildings; that they must be built of stone is also conceded; and the question here arises, whether it is cheaper to carry the stone to San Quentin and build buildings on land without title, or carry the prisoners to a stone quarry where the title cannot be questioned? Your committee, therefore, recommend that the Prison at San Quentin be used for a House of Correction, or a place where the young, or where those who are sentenced for short terms, or who commit milder offences, may be confined; and that a commission be appointed to select and purchase a site for a State Prison where a sufficient quantity of land can be purchased with a good title, with a granite, marble, or sandstone quarry, and with water power for manufacturing purposes, and where the prisoners can be employed to build a proper building for confinement, with separate cells for each prisoner, where discipline can be enforced, and where they can be employed for all time on stone, or such other labor as will not interfere with our own mechanics, and will produce an income to the State. The entire cost of a good building may be saved to the State in ten years in the reduction of the number of guards and other officers. The Legislature (Statutes of 1858, page 259,) appropriated seventy-five thousand dollars for the purchase of a site, and for building a Branch State Prison. No Prison was built, but the records show that from that time to the present there has been spent at San Quentin six hundred and eighty-nine thousand and ninety-one dollars and fifty-nine cents, (\$689,091 59,) allowing fifty thousand dollars per year as the fair average cost of maintaining the institution. Six years will be three hundred thousand dollars, (\$300,000,) leaving three hundred and eighty-nine thousand and ninety-one dollars and fifty-nine cents, (\$389,091 59,) which has been wasted in law suits, land titles, new buildings, and additions to old buildings, and now there is not a building at San Quentin which is properly adapted to prison purposes, except the Hospital, and that is far from being perfect.

All of which is respectfully submitted.

FRANCIS TUKEY, Chairman.





MAJORITY REPORT

OF THE

Committee on State Hospitals

OF THE

ASSEMBLY.

THE STATE OF NEW YORK

IN SENATE,

JANUARY 1877.

O. M. CLAYES.....STATE PRINTER.

ASSEMBLY CHAMBER,
March 16th, 1864. }

MR. SPEAKER:—Your Committee on State Hospitals, on whom devolved the duty to examine the State Reform School at Marysville, the Industrial School at San Francisco, the Lunatic Asylum at Stockton, the Deaf, Dumb, and Blind Asylum in San Francisco, the Protestant and Catholic Orphan Asylums in San Francisco, the Magdalen Asylum, the Ladies' Protection and Relief Society, the Sailors' Home, and the Home of the Inebriate, also of San Francisco, have visited the same, and most respectfully beg leave to make the following report upon their present condition and the necessary changes required for them to accomplish the greatest amount of good to the largest number of the unfortunate human beings who are and may become subjects of these institutions.

BUFFUM, Chairman.

REPORT.

STATE REFORM SCHOOL.

Knowing the necessity of and the benefits that may be derived from the various Hospitals and Asylums in the State, (if properly conducted,) and the many charges that have been made against the location and management of the same, your committee determined, before entering upon their arduous task, to make a fair, impartial, yet a diligent investigation into the sanitary condition, as well as the external and internal management and working of each of the aforesaid institutions, and point out any defects and recommend such changes as to us should appear most expedient for the best interests of the State, and the welfare of all who are and who may hereafter become inmates of either of these institutions; therefore, on the twenty-fifth of December, eighteen hundred and sixty-three, your committee visited the Reform School, which we found situated on the east bank of the Feather River, about eight miles from Marysville, on the low plains, which are frequently covered with water during the wet season of the year, which settles and forms cesspools, around which a rank vegetation springs up and soon commences to decay, which, together with the evaporation of the stagnant water, creates a malaria during a portion of the year, causing a large proportion of the inhabitants of that section of country to resort to anti-bilious remedies to prevent frequent attacks of intermittent fevers, which ever prevail in such localities. The report of the Superintendent shows that during the last eighteen months there has been expended for medicines alone, the sum of two hundred and fifty-three dollars, which amounts to eleven dollars worth for each boy which is reported to be in good health. The report also shows that three hundred and eighty dollars have been paid during the same time for medical advice for these boys, which, together with the sum for medicine, amounts to six hundred and twenty-three dollars, or twenty-eight dollars for each healthy child in the institution, which fact should be sufficient evidence that the sanitary condition of the State Reform School is bad.

The building is a magnificent structure, two hundred and eighteen feet long by from forty-five to sixty-five wide, and three stories high, containing sufficient room, when complete, to accommodate from one hundred and seventy-five to two hundred pupils, besides the officers and Teachers.

The children, eighteen in number, at the time of our visit appeared well contented with their home.

The institution was in a cleanly condition, and to all appearance well kept by the officers of the same. We therefore have nothing to say against their management; but on the contrary, believe that they deserve much praise for their untiring tenacity to keep up an appearance of an institution. On examination of their commitments it was found that a large proportion of them were there by request of their parents and friends; while a small proportion were committed for petit larceny. We therefore believe that most of these boys, who have no homes of their own, could readily find good families who are in want of just such help, and who would gladly give them good comfortable homes if permitted to do so.

In the annual report of the Trustees it will be seen that the salaries of the officers and servants of this State institution, for the year ending December, eighteen hundred and sixty-three, amounts to the sum of six thousand three hundred forty-five dollars and thirty-three cents, over and above their living for themselves and families, which will swell the sum to about nine or ten thousand dollars per annum, which, together with the cost of medicine, food, and clothing for these eighteen or twenty-odd boys, amounts to about five hundred and fifty dollars per annum for the support of each of these boys, counting nothing for the interest on the money invested in this noble political building.

If we divide the amount of expense by the actual number committed for crime, we find it costs the State from fifteen hundred to two thousand dollars per annum for each child so committed, showing a very injudicious use of the State's money. Therefore, after due consideration, your committee are of the opinion that the Trustees and Superintendent of the State Reform School at Marysville should be instructed and empowered to inform all parents and friends of these children that the finances of the State are at such a low ebb that it is unwise to continue the School longer with so small an attendance, and request them to send for their children, and to secure homes for those who have no friends or parents, if there be any left, and rejoice that we have so few bad boys in California.

INSANE ASYLUM.

On the twenty-ninth of December, eighteen hundred and sixty-three, your committee visited the Lunatic Asylum at Stockton, where we found five hundred and eighty-three patients, embracing all of the various forms of derangement of the mind, from acute mania down through the entire catagory, including every conceivable form and stage of mania, monomania, dementia, and idiotism.

We were kindly received and well treated at the Asylum by the officers of the institution, and on examination found it to accord with the various reports of former committees of this body.

The institution is well conducted in all of the various departments, both external and internal. The Superintendent and his assistants deserve much praise for the order and cleanliness maintained throughout the wards and yards, which is owing to their regular system which is maintained in every department, and works well and satisfactorily to all parties.

On examination of the mortality bill of this unfortunate class of human sufferers, we were compelled to pause and ask ourselves—Why is this?

In the reports heretofore made by legislative committees, one con-

tinued stream of uninterrupted praise has been given upon the cleanliness and beautiful style in which the institution is kept, without an apparent thought as to the fundamental principle for which it was founded, and for which it is maintained.

The great and fundamental object of this as well as all similar institutions in other States, is to restore as many of the unfortunate human beings who have lost their mind again to reason and manhood as possible. But from the report of the Superintendent of this Asylum for the year ending October twentieth, eighteen hundred and sixty-three, it will be found that only one eighth, or twelve and one-half per cent of the number treated, were cured. While the reports of thirty Insane Asylums in the United States, in the year eighteen hundred and fifty containing four thousand one hundred and forty (4,140) patients, one thousand seven hundred and twenty-eight (1,728) were discharged cured, which shows forty-one and seven tenths per cent, or one to two and a half cured; showing a wide margin between our Asylum and the general average in the United States, including our own.

The percentage of deaths in the Asylum at Stockton during the same time, was about six and sixty-five one hundredths; while the general average in similar institutions East, is from two and one half to five per cent. This large difference in the cures and deaths of our citizens, requires further investigation than the manner of nice housekeeping, or the writing of flowery essays upon the same.

Much has been said and written recently upon the crowded condition of the Asylum at Stockton, as though it was the only cause for this great loss of life and small percentage of cures. Undoubtedly this is one of the causes, but by no means the great and principal one.

We admit that we have insufficient houseroom at Stockton for the number of patients to be properly classified according to the different grades of insanity, to be treated advantageously.

But before enlarging by the enormous expense of half a million of the people's money, would it not be wise to inquire into the great and fundamental cause of this small percentage of cures?

Your committee are of the opinion that the cause of our small percentage of cures, compared with similar institutions East, is not in any manner the fault of our Physicians, or the want of medical skill; but on the contrary, we believe they are well qualified and adapted to fill the position. It is a self-evident truth that the Insane Asylum of California is built upon a low, miasmatic plain, with a rich, alluvial soil, with no natural facilities for drainage; hence, all surplus water is collected in or upon the lowest grounds, forming cesspools, where it remains until evaporated by the sun, producing a malarious atmosphere, causing lassitude in the human system, and frequent attacks of intermittent and other fevers of a bilious character, producing a weak, vague, or careless condition of the mind, reaching, in many instances, to delirium or derangement. Therefore, a climate which will produce derangement of the mind, is by no means the proper kind to invigorate and restore a mind that is already impaired; "while the scenery, water, and drainage at Stockton has to be manufactured, revealed, and maintained by artificial means, which are expensive, continuous, and troublesome, our State abounds in sites with picturesque scenery, ample water facilities, natural and complete drainage, accessibility, and good health." The people of California having determined, by a majority vote, to freely bestow their benevolence for the care and maintenance of this unfortunate class of human sufferers, and to build a large commodious building for

the Asylum, hoping to make it a curative institution, your committee are of the opinion that all party interests, both local and political, should be laid aside, and a proper Board of Examiners appointed to examine into localities, and select the best to be found in the State, and cause to be constructed such buildings as the necessity of the people requires for the future relief of the insane, and the best interests of the State at large.

Experience in Lunatic Asylums shows that to treat derangement of the mind successfully, it is absolutely necessary to classify the patients according to the form and grade of their insanity, to prevent assimilation. In our Asylum, owing to its crowded condition, or the want of a sufficient number of apartments, patients in all of the various forms and stages above specified commingle and associate together, which commingling the weak with the strong, the hopeful with the hopeless, has a tendency to bring all on a common level with each other, thereby sapping from the strong to sustain the weak, and preventing as many cures as might, under other conditions and a proper classification, be made. The treatment of insanity, as pursued at the present day, is properly divided into two parts or systems, the medical and the moral treatment, the medical consisting in the use of such remedies as will be likely to restore the body of each particular case to a healthy condition. "This treatment has undergone a radical change within the last fifty—mostly within the last thirty years." Formerly, based upon the theory that insanity is a disease of strength, or of active inflammation, it chiefly consisted in a liberal employment of blisters, purgatives, cupping, and blood letting; now, founded upon the well supported theory that the disorder originates in debility, its principal remedies are stimulants and tonics. The success of the present method demonstrates not only the excellence of the practice, but the truth of the theory. The moral treatment includes the exercise of a mild and firm direction and disciplinary power over the actions of the patient, by which he is gradually restored to healthful habits and wholesome self-restraint, and the attempt to win him from the vagaries of his delusion to those mental and manual pursuits which give solidity, strength, and activity to the moral mind.

The means adopted for the attainment of these ends are, regular habits in Hospital life, meals at regular intervals, manual labor, exercise in the open air, attendance upon religious service, lectures upon scientific and miscellaneous subjects, dramas, concerts, balls, and other amusements. Equally as great changes have been made in the moral as in the medical treatment within the last fifty years. In eighteen hundred and thirty-eight, Mr. Hill, House Surgeon of the Lincoln Lunatic Asylum, England, published a work in which he advocated the following proposition, as a principle:

"In a properly constructed building, with a sufficient number of suitable attendants, restraint is never necessary, never justifiable, and always injurious, in all cases of lunacy whatever."

Reports show that the doctrine of Mr. Hill found many advocates and followers in England, but in France, Germany, and the United States, it has been almost universally rejected. All men of experience are well aware that there are occasional instances in which the true interests and welfare of the patient are promoted by restraint of some kind upon the limbs. Even Mr. Hill admits this as a truth, and the great defect, as appeared to us, in the practical working of his principle is, that in order

to secure this restraint, the hands of an attendant are substituted for some mechanical appliance. What man, sane or insane, would not be more restive and violent if held by another man than if confined by a leathern muff upon his hands? While the Superintendents of American Hospitals reject the arbitrary rule of Mr. Hill, they adopt the safer one of employing mechanical restraints only when they are required for the best interests or true welfare of the patient.

If subjected to proper treatment in its early stages, insanity in a very large proportion of cases may be cured. It may be safely asserted that in cases placed under proper treatment within even one year from their origin, from sixty to seventy per cent are cured. The earlier the treatment is adopted the greater is the probability of restoration, and a delay of three months is a misfortune as it is a detriment to the patient.

Of all the cases, both recent and chronic, received at our public institutions, as per report in the eighth census in eighteen hundred and sixty, the average of cures are about forty per cent. Having shown the average percentage of cures in the Insane Asylums in the Atlantic States to be from three to four hundred per cent greater than in our Asylum, and believing the grade of insanity to be no worse here than in the Atlantic States, and further, that the State of California possesses sites containing as healthy a climate as can be found in the known world, we believe it to be inhuman to remain silent and inactive in reference to the location upon which to erect the new buildings for our insane.

INDUSTRIAL SCHOOL.

Your committee visited the Industrial School at San Francisco on the thirty-first of December, eighteen hundred and sixty-three, and was much pleased with its general features. It being a chartered institution, it is governed by a Board of Trustees, who exhibited a great degree of interest in showing us the many opportunities they have to do good to the class of juveniles for which the School was founded. At the time of our visit there were eighty boys and twelve girls in the institution, varying from five to eighteen years of age. Mr. G. L. Lynde, the Superintendent of the School, drilled the pupils in their various studies, and to all appearance has excellent control over them. After hearing a verbal statement by the President of the Board of Trustees, of what had been already performed, and the vast amount of good which may be done, your committee was favorably impressed with their undertaking, and would recommend that a due amount of benevolence be bestowed upon this institution, for it is a nucleus around which much good may be accomplished.

We also visited the Deaf, Dumb, and Blind Asylum on the same day, but not having a fair opportunity to look into its sanitary or culinary condition, we resolved to call again on the following Monday, January fourth, eighteen hundred and sixty-four.

ORPHAN ASYLUMS, ETC.

On Saturday, January second, eighteen hundred and sixty-four, we visited the Catholic and Protestant Orphan Asylums, the Magdalen Asylum, and the Ladies' Protection and Relief Society, each of which are bestowing a great amount of good to the poor, helpless, and very many

orphan children and others who have no home than these Asylums, which have been established and maintained by the good women of San Francisco, (with a few exceptions in the way of appropriations from the State and donations from companies and private individuals). These ladies of San Francisco deserve much praise for their acts in establishing good comfortable homes for so many poor children who might otherwise have suffered for the bread of life. As it is far more pleasant to give than to be in a position to require one to be obliged to receive, it is hoped that all will feel willing to give a little through the channel of the State Fund, for appropriations are necessary to enable the Managers to sustain these institutions as humanity requires.

DEAF, DUMB, AND BLIND ASYLUM.

Monday, January fourth, your committee again visited the Deaf, Dumb, and Blind Asylum, and on a careful examination of the Register we found that it was simply a list of the names of pupils, their age and residence, and date of arrival, but no account of the time when they left the institution; consequently we were unable to arrive at anything like a correct account of the number in the institution at any given time. On inquiry from the Teachers and pupils we learned that several pupils whose names still remain on the books, and for whom the Principal continues to draw money from the State for their support, have not been in the Asylum for months, and several have been absent for a year, and some over two years; which fact caused us to believe it but just to the State to make further inquiry into the subject matter than we were empowered to do without further instructions. Therefore we asked to be empowered to send for persons and papers, and to administer oaths; whereupon, a joint committee of the Senate and Assembly were appointed, who have thoroughly investigated the whole matter, and found it to contain just cause for all complaints that had been made against its management.

We would most respectfully ask you to peruse their report, as it contains many facts that should be known to all tax-paying and other citizens of this State.

HOME FOR THE INEBRIATE.

On the twenty-seventh day of January, eighteen hundred and sixty-four, we visited the Home for the Inebriate, in San Francisco, which institution is worthy of some consideration. It was established for a just and holy object—to take the poor wandering wreck of humanity from the gutter, and, with kind treatment and gentle words, restore him once again to sobriety and manhood.

It will be seen by the report of the Home for eighteen hundred and sixty-three that there were one hundred and sixty-eight patients admitted, of which one hundred and fifty-three were discharged reformed or cured, ten died, and five remaining in the Home.

Their nativity was as follows :

Nativity.

United States.	78
Ireland.....	61
England.....	15
Scotland.....	8
Germany.....	2
Mexico.....	2
Unknown.....	2
Total	168

Stage of Disease.

Drunk.....	94
Delirium Tremens	71
Insane.....	3
Total	168

Sex.

Males.....	143
Females	25
Total.....	168

SAILORS' HOME.

January twenty-eighth we visited the Sailors' Home in San Francisco, where we met the Board of Trustees and a portion of the Lady Managers, also the Superintendent, Mr. James F. Stewart, who explained the objects designed to be accomplished in the institution.

If the objects of the Sailors' Home were generally known, all able sea faring men would be very likely to aid and assist in building it up. Under its present management but little is said, yet a great amount of good is accomplished, and many poor sailors have been enabled to save their money and send it home to their friends and families, and been reclaimed from a drunken, worthless sot, to a noble, *upright*, sober, business man, capable of manning a ship at sea, and a benefit to commerce and navigation.

After learning the true state and condition of the Home, we are of the opinion that if the Lady Managers (who deserve the greatest praise for organizing and managing this institution) were to solicit donations, and secure a site upon which to build a permanent Home, that they would succeed in building an institution that would be an honor to San Fran-

cisco and an everlasting benefit to the commerce of the world. Believing it to be a praiseworthy object, we would recommend that it may be remembered as being worthy of a donation from the State.

A. C. BUFFUM, Chairman.
W. B. H. DODSON,
NATHANIEL GRAY.

REPORT

OF THE

COMMITTEE ON HOSPITALS
OF THE SENATE.

March 11th, 1864.

O. M. CLAYES.....STATE PRINTER

REPORT.

MR. PRESIDENT:—The Committee on Hospitals, on whom devolved the duty of visiting the Insane Asylum at Stockton, the Reform School at Marysville, and the Industrial School at San Francisco, have discharged the duty imposed, and beg leave to submit the following report, as embracing the result of their investigations:

The Reform School, being the first visited, will be the first mentioned in our report. The State Reform School is located north of Marysville, on high healthy ground. The building is a magnificent brick structure, well arranged, and of large dimensions, measuring seventy by two hundred and eighteen feet in length, and is four stories in height. The material used in the construction of the building is of the best quality, and is, in point of workmanship, and architectural design and taste, unsurpassed by any other public edifice in the State. The two upper stories are at present in an unfinished state. To finish them, and make other slight alterations in the building, it would then afford accommodations for two hundred and fifty or three hundred persons. The sum of twelve or fifteen thousand dollars would put it in the condition mentioned. Attached to and belonging to the School is a tract of one hundred acres of fine land, only twelve acres of which is liable to inundation. This portion, however, can at a trifling expense be reclaimed. Water, pure and healthy, can be obtained by artesian process, the present well being less than forty feet in depth.

The Reform School is now in the fourth year of its existence, and although the Trustees have sent circulars to county officials throughout the State, soliciting that vagrant children be consigned to the institution, yet of the twenty-five boys it now contains, only eight of the number have been committed by Courts of law.

The discipline and government of the pupils is not all we could desire in such an institution; believing as we do that religious instruction furnishes the strongest incentive to a virtuous life.

The expenses incurred in maintaining the School the past year amount in the aggregate to eleven thousand five hundred dollars. Of this amount, six thousand three hundred and fifty dollars have accrued from salaries alone. Supplies have been procured at an average of thirty-three per cent over cash prices, which fact is to be attributed to the financial embarrassments of the institution.

The farm belonging to this institution is under the management of J. C. Sargent, the Superintendent, and is in good condition. The Trustees have discharged their duty in as faithful and creditable a manner as could be expected in view of the peculiarly embarrassing condition of affairs. Mr. Gorham has kept the books in a systematic and proper manner.

Your committee, after due deliberation, are firmly of the opinion that in its present location the Reform School can never be a success; and we are convinced that to answer the ends for which it was established and designed it should be located at the centre of communication, which would afford facilities for shipment, enlistment, and the indenturing of pupils.

The committee next visited the Insane Asylum at Stockton, and the report hereby submitted presents briefly our views of its management, as well as the changes which we deem necessary to be made, in order to accomplish more successfully the humane purpose for which it was established. Your committee consumed nearly three days at the Asylum, making as minute and thorough an examination as the time and ample facilities afforded, and we are of the opinion that in point of scrupulous neatness of the building and grounds, in the kind treatment of the inmates by the attendants, in the enlightened and scientific treatment of the patients by the Resident and Assistant Physicians, the Insane Asylum of California is worthy of being ranked among the best of its kind anywhere. And especially are we led to this conclusion from assurances given us by the report of the Resident Physician, that despite the excessively crowded condition of the Asylum, the percentage of cures effected is equal to an average of similar institutions in older States.

The books are well kept, and show at a glance its financial condition, and how, and for what purpose, every cent of the appropriations have been disbursed. Additional wards have been built; brick walls separating them have taken the place of boards. Also, during the past year a laundry and a reading-room have been added to the Asylum. The former supplies a necessity which long existed, and the latter (which is thirty feet by sixty feet in length) is a source of great mental recreation and enjoyment to the inmates. If an appeal were made to the benevolent people of this State in behalf of this unfortunate class, for contributions of books and papers, we doubt not a generous response would be made. While we can be loud in our praise of the sanitary regulations pervading the entire buildings and grounds, truth compels us to say that natural deficiencies exist in the location which must in a measure retard the successful progress of the institution. The process now in use by which the waters are got rid of, is by pumping over the grounds, which must inevitably be productive of unhealthy emanations. The close proximity of the Asylum to tule lands, and the lack of mountain scenery, indicate no good judgment on the part of its founders in the site selected.

The number of inmates in the Asylum at the time of our visit we found to be five hundred and eighty, being at least twice the number it should contain to make it a curative institution. There are now in it two hundred or more that are cases that are far better adapted for a Pauper Asylum, and consists of incurables of epilepsy, idiocy, and harmless insanity.

The cost of the improvements made this year, together with the discount and interest upon hypothecated State warrants, we learn sums up a deficiency of forty thousand dollars.

The ground plan of the measurement of the contemplated new building is five hundred and twelve by eighty feet, and must cost over five hun-

dred thousand dollars before it attains completion. A conditional contract to the amount of seven thousand five hundred dollars, it seems, has been entered into by the Trustees with Charles Grant for the foundation stone. We learn, too, that an Eastern architect has been engaged to superintend the erection of the same, at a salary of two thousand five hundred or three thousand dollars per year.

Justice as well as humanity demands that something be done without delay to relieve the said institution of its disproportionate number, that it may, as it undoubtedly would do, accomplish a greater percentage of cures than at present. We will, in a subsequent portion of this report, express the conclusions at which we have arrived.

Your committee now desire to make brief mention of the institution known as the Industrial School, at San Francisco, it being the last in the order of our visit. We found everything connected with this institution deserving our highest commendation, and worthy of the liberal consideration of the State. There are at present confined in the School ninety-two pupils, who are well provided for, and under good government and discipline. After the completion of a wing to the present building, which the City of San Francisco is to erect, at an expense of twenty-five thousand dollars, ample accommodations will exist for two hundred pupils. It is proper to state that not a death has occurred in the School, from over three hundred pupils, since its establishment, four years ago. Attached to the School is one hundred acres of good land, which affords the pupils a fine opportunity for useful and healthy exercise, when not engaged in School studies. A meeting of the Board of Managers was held, to confer with your committee, and after deliberation made the following proposal to take State pupils:

Resolved, That the President of this Board, the Hon. J. P. Buckley, be authorized to agree to the passage of a bill by the Legislature, providing for receiving scholars who are now inmates of the State Reform School, or any portion of said inmates, and all children who may hereafter be liable to be committed to said Reform School, as inmates of the Industrial School of the City and County of San Francisco, for the space of two years, for the sum of two hundred and twenty-five dollars per year for each scholar, and at the rate for such time as such scholars may severally be inmates of said Industrial School; *provided*, that the State will pay for not less than six months time for any scholar who may be discharged before the expiration of six months after committal; and, *provided*, that all children committed to said Industrial School from any Court of the said city and county, shall be considered as a State scholar, unless such scholar shall have been a resident of said city and county from thirty to ninety days before being arrested.

This proposal requires no comment at our hands. No intelligent legislator can fail to perceive its economy to the State, as well as its great advantages to the pupils.

In conclusion, your committee would, after mature reflection and due consideration, earnestly recommend that the State accept the terms offered by the Managers of the Industrial School, to take the pupils of the State at Marysville; that the improvements mentioned in a foregoing portion of this report be made on the building known as the State Reform School, and that two hundred of the inmates from the Asylum be transferred thereto, then amend the several laws relating to the institutions mentioned in conformity to the changes here recommended, and

we feel assured that the saving to the State will be very great. The recommendations here made and the changes suggested, will, if adopted, obviate the necessity for erecting, for two or four years, the expensive structure proposed at Stockton. And, in this connection, we would further suggest the creation of a committee of five Physicians, to be chosen by the Legislature or Governor, whose duty it shall be to report to the next Legislature or Governor the propriety of locating the new building elsewhere than at Stockton.

All of which is respectfully submitted.

C. S. HASWELL, Chairman.
GEORGE S. EVANS,
JOHN YULE,
J. P. BUCKLEY.



REPORT OF THE COMMITTEE

ON

State Prison and Public Buildings,

OF

THE SENATE.

O. M. CLAYES.....STATE PRINTER.

REPORT.

MR. PRESIDENT :—Your Committee on State Prison and Public Buildings took advantage of the holiday vacation to visit the State Prison. Its location upon Point San Quentin is both healthful and beautiful, being on the west side of the bay, about twelve miles northerly from San Francisco, and an hour's ride on the Petaluma steamer. We landed at Mr. Minturn's fine wharf, about half a mile from the Prison grounds.

We made as thorough an examination into the affairs of the Prison as our limited time would allow, and we herewith present our report.

Taking it for granted that the object of a State Prison is to restrain and confine those who are disposed to injure or take from others their lives or their property, the first requisite is *security*. The question arises, then, how far does our State Prison answer this purpose.

Of the past we need not speak. The numerous escapes, the various outbreaks, the scenes of danger and terror, and the great loss of life that have frequently startled the people of the State, are too recent and well known to require more than simple mention. Entering through two strong and well guarded gates, we found five hundred and fifty-five prisoners. Three or four hundred were at large, for the most part lounging listlessly about, a few gathered in groups for conversation, some playing games; here and there a Spaniard knitting or braiding a hair snuch or bridle-rein, and three or four with a book.

In the tailors' shop some thirty or forty were at work; as many more in the shoe shop; twenty-five or thirty in the coopers' shop; a dozen in the blacksmiths' shop. These were working for contractors, at thirty or fifty cents a day. A few were engaged in the laundry and in the various shops belonging to the State; a few more busied about the necessary repairs for the Prison itself; and about one hundred in the sanitary work of the Prison. Thirty or forty were outside the walls, in the brick yard, assisting to load or unload the vessels at the Prison wharf.

On the hills around, and on the walls of the Prison, were the guard, with their cannon and rifles. At the ringing of the bell the prisoners formed in file and marched to their evening meal. The food was abundant, wholesome, and well cooked and served.

When the meal was ended they were marched out and ranged in files. The roll was called and they were marched into their apartments for the night. A hundred and ninety-two were lodged, in cells of four each, in the

second story of the stone building of solid masonry, securely fastened and well ventilated. On the ground floor, Room A, thirty-five Mexicans and Indians were fastened; in Room 1, twenty-three negroes; in Room 2, thirty-five whites; in Room 3, thirty-eight whites; in Room 4, thirty-five Mexicans; in Room 5, thirty-five whites; in Room 6, fifty-four Chinese. In another building, called the New Prison, in the room named the County Jail, (because the prisoners of Marin County were formerly confined there,) were thirty whites; in Room D, thirty-two whites; in Room E, thirty-one whites; in the Hospital, eleven; in the Female Department, three. None of these rooms, except the forty-eight cells first mentioned, can be called secure.

It is only by the ceaseless vigilance of the guard during every hour of the night, watching for the least noise, and demanding instant silence upon peril of death, that their escape can be permitted. It is a shame to a great and wealthy State to lack so thoroughly the first requisite of a prison—security; and your committee would be derelict of their duty if they failed to earnestly recommend the immediate construction of cells for at least two hundred more. And as security depends largely upon isolation, as all experience proves, there should be separate cells for each prisoner. And as far as possible, their judgment is, the prisoners should be worked within the walls.

After security, the second object or purpose of a prison should be the reformation of the criminals. And here the first requisite is occupation—industry. The two fruitful sources of insubordination and outbreaks are idleness, and means of communication. To these may be traced all the horrors of past insurrections within the Prison. The present Directors are showing commendable zeal in securing employment of various kinds for the prisoners. Many of the former attempts have proved useless and disastrous to the State from the failure of contractors, too often imposing losses, and leaving their debts a ruinous and vexations legacy. Too much care cannot be exercised in requiring abundant security for the performance of contracts.

The next requisite for reformation is intellectual and moral culture. In this direction very little has thus far been accomplished. The neighboring clergy have preached occasionally, and a few volumes are in the library.

A person combining the offices of teacher and preacher should be employed by the State. The third requisite is discipline. Towards this very little advance can be made while so many are idle during the day, and herded together for the night.

Another want of the prisoners is good and uniform clothing. In her poverty and economy the State has thus far furnished barely enough of bedding for comfort, and of clothing only shoes, trousers, shirts, and caps, have been provided. The caps have been almost universally refused and rejected.

For coats and other garments, prisoners depend upon what they brought with them, or what they can barter for with one another, with contractors, and visitors. The appearance they present is extremely variegated, and frequently exceedingly dilapidated as to their outer garments; many are literally in rags; the regulation uniform is much needed. Much evil has grown up under the contract system by contractors furnishing money or extra supplies in the form of luxuries to the prisoners in their employment. Sugar, tea, coffee, tobacco, and other things are given as an inducement to labor and good behavior. This adds greatly to the expense of the contractors, and excites dissatisfaction in those who are

not thus favored; possibly of the two evils this may be the least—there should be a remedy that avoids both.

The Directors have been preparing an estimate of the amount necessary to erect another building, put an additional story upon the present one, and to provide the necessary separate cells. For this purpose they ask an appropriation of forty or fifty thousand dollars. The Directors are now paying one hundred dollars a month for a supply of fresh water. The works can be purchased, and this ought to be done at once.

In the opinion of your committee a system of rewards should be established, giving to the prisoners as a capital to start upon, all his previous good character, all the palliating and mitigating circumstances of the offence of which he is convicted, and adding to this credit for his industry and good conduct within the Prison, and in the ratio of these let his term be shortened.

We herewith present as accurate an account of the appropriations of past years as we can obtain from the reports of the Controller and Treasurer of State.

<i>Year ending June 30th, 1852.</i>		
Salary of Inspectors.....	\$3,375 00	\$3,375 00
<i>Year ending June 30th, 1853.</i>		
Land of Buckelew.....	\$10,000 00	
Salary of Inspectors and Commissioners.....	6,967 79	16,967 79
<i>Year ending June 30th, 1854.</i>		
For erecting Prison.....	\$135,000 00	
Salary of Commissioners.....	1,003 33	136,003 33
<i>Year ending June 30th, 1855.</i>		
Salary of Inspectors.....	\$7,293 33	
Extra work on Prison.....	10,535 90	17,829 23
<i>Year ending June 30th, 1856.</i>		
Salary of Inspectors.....	\$100 00	
Salary of Directors.....	10,074 93	
Labor and material.....	172,906 56	
Purchase of property.....	47,447 70	
Attachés.....	52,254 15	
Temporary support.....	15,000 00	
Supplies and materials.....	32,000 00	
Paid lessee (Estell).....	40,000 00	
Lieutenant-Governor, as member of Board of Commissioners.....	260 00	

Expenses of Board of Commissioners.....	100 00	
		\$370,174 14
<i>Year ending June 30th, 1857.</i>		
Salaries of Directors.....	\$6,416 66	
Paid lessee (Estell).....	75,000 00	
Salaries of Directors, etc.....	200 00	
Contingent expenses of Commissioners.....	100 00	
Relief of State Prison, paid Estell.....	5,000 00	
		86,716 66
<i>Year ending June 30th, 1858.</i>		
Salaries of Directors.....	\$790 80	
Lessee (Estell)	90,000 00	
Temporary government.....	10,000 00	
Expenses of Prison.....	29,302 50	
Preparing plans, etc.....	2,796 00	
Brown, for supplies.....	10,111 00	
		143,250 30
<i>Year ending June 30th, 1859.</i>		
Support of Prison.....	\$49,700 00	
Salary of Directors.....	2,700 00	
Fees paid Counsel.....	700 00	
Judgment—McCauley vs. Weller.....	17,654 20	
		70,754 20
<i>Year ending June, 1860.</i>		
Support of Prison.....	\$80 00	
Salaries of Directors	2,690 00	
For Prison Library.....	373 19	
Resident Director, (Walkup).....	2,230 00	
		5,373 19
<i>Year ending June 30th, 1861.</i>		
Support of Prison.....	\$72,938 90	
Cancellation of Contract.....	275,000 00	
		347,938 90
<i>Year ending June 30th, 1862.</i>		
Support of Prison.....	\$23,439 12	
John Center—Property.....	12,000 00	
		35,439 12
<i>Year ending June 30th, 1863.</i>		
Support of Prison.....	\$86,335 88	
		86,335 88
Total.....		\$1,320,157 75

COST OF LAND.

Bought of R. R. Buckelew, twenty acres.....	\$10,000 00	
Archibald Woods, sixteen acres.....	40,000 00	
John Center, same land.....	12,000 00	
Paid into Court for land condemned.....	17,000 00	
Total		\$79,000 00

TITLES,

To first twenty acres, good; grant on file in United States Surveyor-General's office in San Francisco. Deed to John Bigler, for the State of California; on record in Marin County Recorder's office. Deed of A. Woods conveyed no title. Deed of John Center good, but not on record in Marin County, nor on file in the office of Secretary of State. Land condemned, still in Court, and money also.

We present also memoranda of labor, of provisions, and dimensions of buildings. As near as the committee can judge, the present value of the buildings and other improvements is about one hundred and seventy thousand dollars.

SAN QUENTIN, March 1st, 1864.

Hon. J. E. BENTON,

Chairman Senate State Prison Committee:

DEAR SIR:—Inclosed you will find such information, in answer to your inquiries of the twenty-fourth ultimo, as we are able to collect from books and papers on file in this office.

Paper "A"—Labor and compensation (of prisoners) for seven months last past; also, note in regard to contract of Hon. George K. Porter.

Paper "B"—Synopsis of contract with Stone & Hayden, entered into by present administration.

All other convicts are worked under verbal contracts for the present, such as could be annulled at the end of every month, or at such time as the convicts may be needed under new contracts that may be let by the present Board of Directors.

Paper "C"—Dimensions of walls and building—nearly all from actual measurement. The value of them, however, we prefer not to estimate.

No person or persons have title or interest, either in law or equity, to any building at this place.

Having endeavored to answer your inquiries to the best of our ability, and with the hope they may be satisfactory,

We remain, obediently, your servants,

J. F. CHELLIS, Warden.

By THOS. H. LOEHR, Clerk.

ACCOUNT of Labor of Convicts, and Compensation therefor, from July 1st, 1863, to February 1st, 1864.

Month.	Average Number of Days.	Average Price per Day.
1863—July.....	246 $\frac{1}{2}$	54 37-100 cts.
August.....	168 $\frac{1}{2}$	49 37-100 cts.
September.....	207	48 50-100 cts.
October.....	251	47 72-100 cts.
November.....	91	49 50-100 cts.
December (from 1st to 16th).....	103	46 43-100 cts.
December (from 15th to 31st).....	107	46 43-100 cts.
1864—January.....	109	46 43-100 cts.

Note 1.—The above is the amount of labor and average price, as charged to individuals on books in Clerk's office.

Note 2.—There was but one contract (written) for labor of prisoners in force at the changing of administrations, to wit: with George K. Porter, who now works about fifty hands, but has the privilege of taking one hundred; contract runs from October, eighteen hundred and sixty-three, for three years; price per day thirty cents. Original contract in Secretary of State's office.

MEMORANDUM OF CONTRACT

Between the State, party of the first part, and Stone & Hayden, parties of the second part. Entered into December twenty-fourth, eighteen hundred and sixty-three, and filed in the office of the Secretary of State, January ninth, eighteen hundred and sixty-four.

Agreement on part of State.—First—To furnish, at any time between March first, eighteen hundred and sixty-four, and March first, eighteen hundred and sixty-five, one hundred convicts, to be employed at harness making, etc.

Second—To furnish fifty additional convicts at any time on or after March first, eighteen hundred and sixty-five, all of which, when set to work, to be kept continuously until the first day of March, eighteen hundred and sixty-eight.

Third—To furnish, within the walls, sufficient shops and room for carrying on the business of harness making, saddlery, etc., to work the number of hands as above; also to let, outside of walls, a lot of ground fronting on water, eighty feet square, upon which parties of second part may erect storehouses, etc.

Agreement on part of Stone & Hayden.—First—To take at least twenty-five convicts on March first, eighteen hundred and sixty-four.

Second—To take at least twenty-five additional on June first, eighteen hundred and sixty-four.

Third—At least fifty additional on or before March first, eighteen hundred and sixty-five. But at their option may demand and receive all of the above number at any time prior to June first, eighteen hundred and sixty-four, and the first day of March, eighteen hundred and sixty-five.

Fourth—May demand and receive at any time after March first, eighteen hundred and sixty-five, fifty additional convicts.

Fifth—Agree to pay, upon the last day of each and every month, in United States gold or silver coin, the sum of thirty (30) cents per day for each and every convict employed.

[*Note.*—The lot of ground granted them for storehouse is already built upon—a one story brick building, fifty by twenty-five feet, with yard on east end, (built of lumber,) fifty by thirty feet.]

EXTENT OF GROUNDS INCLOSED BY WALL. ETC.

Height of wall, varying from twenty to thirty feet; lower portion, from six to twelve feet, of stone; upper portion of brick; length of east wall, four hundred and ninety-three feet; length of south wall, five hundred and eighty-seven feet; thickness of bottom, five and a half feet; thickness of top, two and a half feet. Supposing the west and northern walls to be of corresponding length with the east and west walls, the area of ground inclosed would be about five and one fifth acres.

BUILDINGS INSIDE OF WALLS.

Prison Building. (of Stone)—Length, one hundred and eighty feet; width, twenty-eight feet; height, about twenty-feet, (two stories); thickness of wall, two and ten-twelfths feet.

Office of Turnkey and Lieutenant of Guards, (Brick Building)—Length, forty feet; width, twenty feet; height, about twenty-four feet, (two stories.)

"County Jail," (Brick Prison)—Length, forty feet; width, thirty-six feet. Basement of heavy stone masonry—two stories above, of brick.

Tailor Shop, adjoining Jail, (of Brick)—Length, one hundred and two and one half feet; width, thirty-six feet; height, two stories, (about eighteen feet.)

Dining Room and Kitchen, adjoining Tailor Shop, and in line with both last named buildings, (of Brick)—Length, two hundred and sixty-one feet; width, thirty six feet; height, one story.

Blacksmith, Cooper, and Carpenter Shops, (of Brick)—In one building, attached on west side against basement of three last named buildings. Length, four hundred and three and one half feet; width, thirty feet; height, one story.

Laundry, (of Brick)—Length, thirty-six feet; depth, twenty-nine feet; height, one story.

Machine Shop, (of Brick)—Now being converted into shape to manufacture harness, whips, and saddlery. Length, one hundred and sixty feet; width, eighty feet; height, about thirty feet. Two small rooms projecting on west side, about ten feet square, each.

BUILDINGS OUTSIDE OF PRISON WALLS.

Main Building, Officer's Quarters, (of Brick)—Front, fifty-three feet; depth, forty-one feet; height, two stories.

Dining Room and Kitchen, (of Brick)—Attached to the last named building. Length, sixty-three feet; width, twenty feet; height, one story.

Clerk's and Commissary's Office, (of Brick)—Length, fifty-two feet; width, thirty-two feet; height, basement and one story. (Basement stone.)

Barn, (of Wood)—Length, fifty feet ; width, forty feet.

Slaughter-house.—Small wood building.

Wood sheds, (of Wood)—One inside, about twenty feet square ; one outside, length, sixty feet, one story.

Guards' Towers, (of Stone)—Five, (small.)

Land Inclosed.—One field, (pasture,) about fifty acres ; one garden, about four acres ; one poultry yard, about three-quarters of an acre.

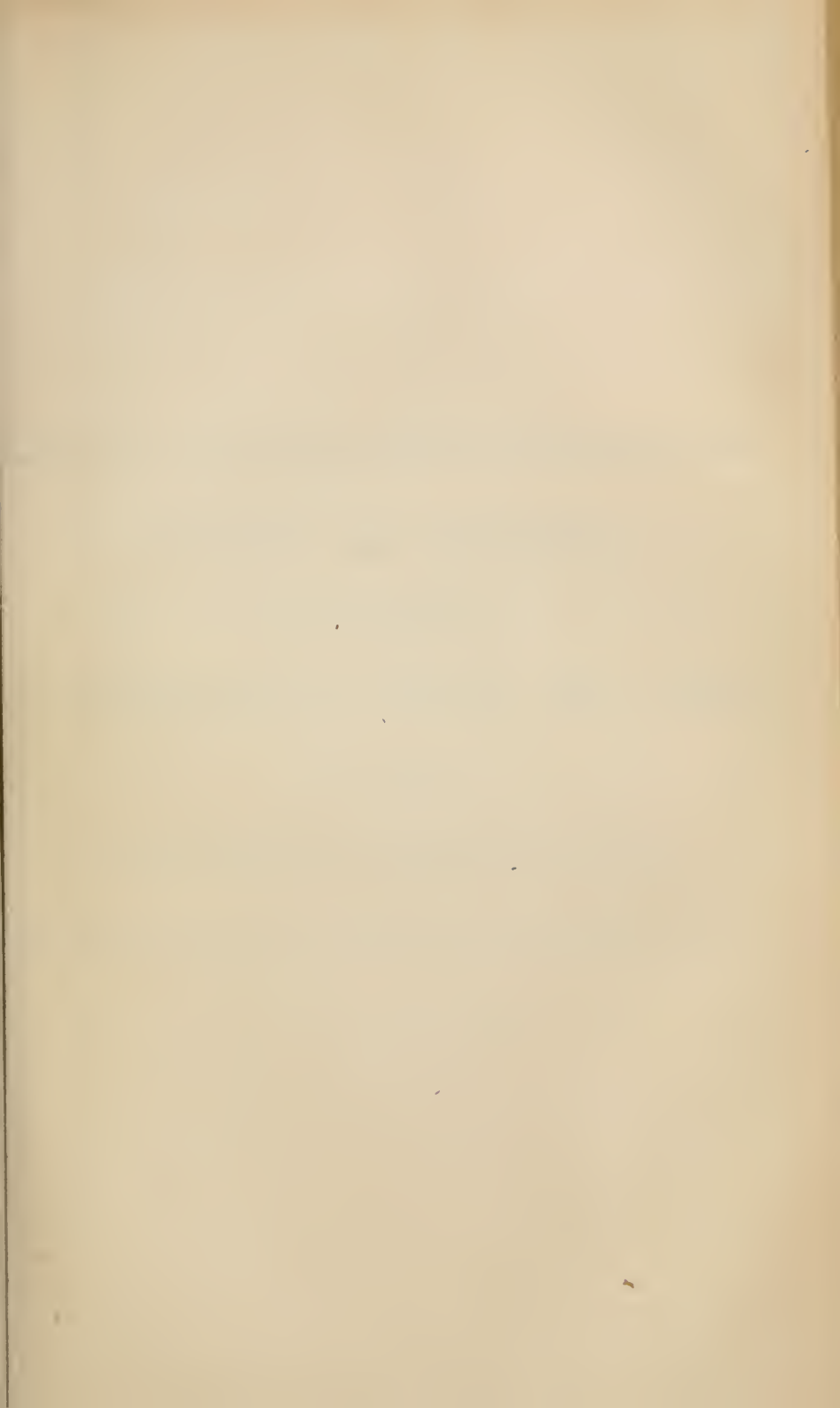
Building over West Gate, (of Brick)—Length, about thirty feet ; height, two stories.

The officers of the State have lately been ejected from the forty acres of ground west of the Prison walls (the line running within twelve feet of them) by Mr. Sims, holding under a patent from the State, granted to J. F. McCauley.

A judgment for damages has been obtained against Mr. Chellis, Warden of the Prison, for two thousand two hundred dollars, and his private property is levied on and to be sold. Relief should at once be afforded him.

All of which is respectfully submitted.

J. E. BENTON, for Committee.



PETITION AND AFFIDAVIT

WHICH ACCOMPANIED

ASSEMBLY BILL No. 368,

AN ACT FOR

THE RELIEF OF WILLIAM BRADFORD.

O. M. CLAYES.....STATE PRINTER.

P E T I T I O N .

To the Honorable Senate and Assembly of the State of California :

The undersigned, your petitioners, would most respectfully represent to your honorable bodies, that last winter, at the time of the disturbance between the authorities of Plumas County and the citizens of Honey Lake Valley, one William Bradford, a citizen of Plumas County, was summoned by the Sheriff of said county to act as one of his posse. That he obeyed the summons of said Sheriff, and whilst in discharge of his duty as a member of said Sheriff's posse, in said Honey Lake Valley, he received a rifle shot in the thigh, fracturing the thigh bone, from the effects of which he came very near losing his life. He has finally recovered so far as to walk with crutches, but must inevitably remain a helpless cripple during his life. He is a poor man, entirely destitute of means of support, and has only been maintained since his misfortune by the generosity of friends and acquaintances who are illy able to bear the burden ; and feeling and believing that the circumstances under which he was stricken down, and in which he now is and must continue to remain physically, were well calculated to secure at your hands such action for his pecuniary benefit as was in your power to bestow, we have deemed it fit to present his case for your kind consideration.

And your petitioners will ever pray, etc.

R. C. Chambers,
R. E. Garlune,
John Harbison,
R. P. Johnston,
W. O. Chambers,
J. S. Gilson,
W. S. Dean,
E. B. Cobb,
G. W. Thompson,
A. A. Cummings,
W. W. Kellogg,
D. C. Stille,
Charles W. Case,
J. L. Dow,

John F. O'Neill,
T. G. Bullard,
W. A. Blakesley,
C. W. Payne,
D. Cahill,
P. Howard,
William T. Byers,
Alva Cole,
J. A. Crawford,
Benjamin Coburn,
John S. Root,
F. B. Whiting,
William Schlatter,
William Moore,

Henry O'Toole,
 George Terrier,
 John H. Helm,
 A. O. Davis,
 W. E. Ward,
 Isaac A. Cony,
 J. G. Haward,
 T. A. Van Norden,
 George Martin,
 J. M. Hughes,
 A. S. Titus,
 J. M. Woodward,
 L. C. Charles,
 D. R. Cate,
 L. F. Cate,
 A. F. Harvy,
 E. H. Piercee,
 J. E. Edwards,
 William Myers,
 Moses Denoche,
 John Cross,
 John D. Goodwin,
 A. J. Gifford,
 Ambrose Eaves,
 H. B. Abbott,
 N. C. Cunningham,
 T. J. True,
 James W. McCartney,
 J. C. Tripp,
 Harrison Gregg,
 John Bynhard,
 Z. H. Davis,
 S. J. Clark,
 Jacob Aschiem,
 John S. Vaughan,
 C. T. Kaulbach,
 C. W. Norris,
 D. Robinson,
 L. G. Traugh,
 John Moore,
 Phil. C. Kiser,
 Thomas Mowbray,
 John A. Parsons,
 J. J. L. Peel,
 J. N. Nouck,
 A. J. Howe,

A. P. Moore,
 H. G. Richmond,
 J. R. Buckbee,
 H. Huntington,
 C. F. Low,
 F. P. Debnam,
 C. T. Hogan,
 John Schwartz,
 William Kinsey,
 Peter Day,
 John Walker,
 T. F. Hersey,
 Leonard Poole,
 John A. Trucks,
 N. P. Trucks,
 R. S. Gorham,
 Amos Hollingsworth,
 Thomas Carroll,
 David Boye,
 J. C. Lewis,
 L. Burgess,
 W. H. K. Stapleton,
 Aaron Maisey,
 L. G. Wilson,
 William Walraven,
 J. D. Compton,
 T. F. Emmons,
 John Young,
 Francis S. Fox,
 John Coburn,
 A. Wood,
 Edwin Bates,
 S. H. Conyers,
 George W. Thompson.
 Joseph Breaden,
 C. Walker,
 Nathan Clark,
 Richard Irwin,
 Robert Bone,
 N. K. Wright,
 M. D. Smith,
 John Tucker,
 J. H. Snyder,
 B. B. Baugh,
 J. F. Wilkins.

AFFIDAVIT.

STATE OF CALIFORNIA, }
County of Plumas, } ss.

I, E. H. Pierce, Sheriff of the County of Plumas, State of California, do hereby certify: That about the twelfth day of February, A. D. eighteen hundred and sixty-three, I summoned William Bradford to serve in a Sheriff's posse, to assist in serving a State warrant in Honey Lake Valley, in Plumas County. That while acting in that capacity, and under my direction as such Sheriff, he, the said William Bradford, was badly wounded, having his thigh bone badly shattered by a Minié rifle ball, fired by the mob while resisting the lawful authority of me the said Sheriff. And further, that the said William Bradford was unable to be moved, or to leave his bed, from the effects of said wound, for about five months, and is at the date hereof unable to move about without the assistance of crutches, and must from the effects of said wound remain a cripple for life. And further, that said William Bradford received the aforesaid wound on the fifteenth day of February, A. D. eighteen hundred and sixty-three.

Given under my hand, this the second day of February, A. D. eighteen hundred and sixty-three.

E. H. PIERCE,

Sheriff of Plumas County, California.

By L. C. CHARLES, Under Sheriff.

I hereby certify that the within and foregoing statement of E. H. Pierce, Esq., Sheriff of Plumas County, is correct and true.

Witness my hand, this fourth day of February, A. D. eighteen hundred and sixty-four.

E. T. HOGAN,

County Judge.

MINORITY REPORT

OF THE

Select Committee of the Senate,

ON

SENATE BILL NO. 275,

AN ACT RELATING TO ELECTIONS HELD BY POLITICAL PARTIES.

O. M. CLAYES.....STATE PRINTER.

REPORT.

MR. PRESIDENT :—The undersigned, a minority of the select committee to whom was referred Senate bill No. 275, an Act relating to elections held by political parties, has considered the same, and dissents from the recommendation of the majority of the committee.

The first section of the substitute recommended by the majority of your committee provides that, “all elections *hereafter* to be held by *any voluntary* political association, etc., shall be called or ordered by *published notice*, etc., and shall designate the person who is to *supervise* or preside at such poll, who shall be a legal voter of the township.” The notice is also to state the qualifications of the persons to vote at such elections, provided they shall not be inconsistent with those prescribed in this Act.

Section second requires the notice to be published in some newspaper, or *posted* in not less than three public places in the township, etc., not less than five days.

Section third authorizes the Supervisor to appoint (after being sworn himself) such assistants to count the vote, provided he appoint legal voters and respectable citizens, and declares any violations of the provisions of the section a misdemeanor, punishable by fine and imprisonment.

Section four makes it the duty of the Supervisor to entertain objections made by any qualified elector under the call to any vote that may be offered, upon the grounds that the person offering is not entitled under the terms of the published call, etc., and also authorizes the Supervisor to administer oaths to determine the right; but if, after examination, the *Supervisor* is satisfied the applicant is not entitled, he may reject his vote.

This section punishes wilful false swearing under this Act as perjury.

It will be observed, that the Supervisor who is to determine the right in all cases, to vote, is himself left wholly irresponsible for any abuse of discretion or wilful rejection of votes.

But, Sir, the whole Act would be inoperative and void, for the reasons that the people of this country have an undoubted right to meet together, hold elections, appoint delegates, nominate and elect or appoint committees, without previous notice of five days, or of five hours, or even minutes; they have the right freely to assemble to consult for the common good, to instruct their representatives, etc., and the people are the sole

judges of what is for the "common good," and who are "*their representatives*" in these respects. The right to consult, instruct, and petition, carry with them their necessary incidents to appoint committees, nominate and elect delegates, agents, or candidates for any place, office, or calling, within the scope of the object to be accomplished, nor can this right of the people be defined, limited, or restricted, by statute; it is, necessarily, unlimited under our form of government—left so, intentionally, by the founders of the Government.

Again: the Supervisor may prescribe the qualifications of electors, under his call. What, Sir, would be the qualifications? He might require that the voter should be a member of some Loyal League, or that he never belonged to any Vigilance Committee, or that he would vote for Conness delegates to the National Convention, the result of which would be the organization of new parties, almost numberless, or we would have to hold other meetings or elections for the Supervisor, and further define by law the duties of Supervisors and voters at such elections, and go on thus, *ad infinitum*.

I think the whole scheme must fail to accomplish any reform, and the Act remain a dead letter.

Let us pass no inoperative Act. I recommend indefinite postponement. Let it die.

PEARCE, Minority of the Committee.

MINORITY REPORT

OF THE

Committee on Ways and Means,

TO THE ASSEMBLY, CONCERNING

ASSEMBLY BILL No. 22.

O. M. CLAYES.....STATE PRINTER.

ASSEMBLY CHAMBER, }
January 8th, 1864. }

MR. SPEAKER :

The undersigned, a minority of your Committee on Ways and Means,
has considered Assembly bill No. 22, and recommends its adoption.

CLAYTON.

REPORT.

The purpose of this bill is to include Mines among the taxable property of the State. For fourteen years, in violation of the express injunction of the Constitution, and of the plain principles of justice, the mines have been exempt from the burden of contributing to support the State and county governments by any direct tax. All farms, all stocks of grain, all herds of horses and cattle, all dwellings, stores, manufactories, and workshops, all merchandise, all domestic produce, all railroads, and all steamboats—every class of property within the reach of the Assessor—has been compelled to pay a direct tax, varying from one and a half to five per cent, annually, while the mines, by gross favoritism, have been alone exempted.

The State Constitution, in section thirteen, Article Five, says :

“Taxation shall be equal and uniform throughout the State. All property in this State shall be taxed in proportion to its value.”

Webster defines property as “ownership,” or “the exclusive right of possessing, enjoying, and disposing of a thing.” The miner who has a mining claim, owns it. He has the exclusive right, under the laws of the State, of possessing, enjoying, and disposing of his claim. The Supreme Court has said, in the case of *Merritt vs. Judd* (14 Cal., 64):

“From an early period of our State jurisprudence, we have regarded these claims to public mineral lands as titles. They are so, practically. It is very evident that they will not be sold, nor the present tenure altered.”

Like other property, mining claims can be sold. They are property under the law. A statute of eighteen hundred and sixty provides that they may be conveyed by bills of sale without a seal. Like other property, mining claims may be the subject of suits at law. Section six hundred and twenty-one of the Civil Practice Act, provides that in such suits the local customs and mining laws may be proved to show the rights of the parties.

Like other property, mining claims may be seized under execution. From every legal stand-point, mining claims are property. The miner says his claim is not property, because the United States owns the land

in fee; but this objection deserves scarcely a sentence of refutation. There may be property without ownership in fee. The law says there is property in this special case, and that settles the matter.

When we look at the question from commercial and financial stand-points, we perceive not less distinctly that mining claims are property. Like other property, they have a money value in the market. They are bought and sold. They are admitted to be the chief source of the wealth of the State. Certain ones among these claims or mines are celebrated throughout California; and their fame, indeed, is not confined to this coast or this continent, but has extended to all parts of the civilized world. The Mariposa Mine, which has yielded more than half a million dollars in a year, is of the number. The Allison Mine has produced nearly as much. The Rocky Bar Mine, the production of which is interrupted just now by litigation, has also capacity to yield half a million. The Sierra Butte Mine produces more than a quarter of a million; and there are many which rise to fifty thousand dollars annually.

The silver mines at Silver Mountain, Inyo, Slate Range, Amargosa, and Coso; the quicksilver mines at New Almaden and New Idria; the copper mines of Calaveras, Amador, Yuba, Colusa, and Del Norte; the tin mines at Temescal; the coal mines of Contra Costa;—all these have a fixed and high value in the market.

The New Almaden Mine was sold not long since for one million seven hundred thousand dollars. The Union Copper Mine has been valued at three hundred thousand dollars. The financial community agrees with the law in treating mining claims as valuable property. It is plain, therefore, that the letter and spirit of the Constitution have been violated by the past exemption of the mining claims from taxation, and will be still further violated by any further exemption.

Let us look at the question of exemption now from the stand-point of justice, as independent of constitutional injunction. Justice in taxation means equality. An unequal tax is, of course, unjust; and if a tax can ever be just, it is only when it is equal. A direct tax on property is not equal unless it is levied on all kinds of property alike. The State of California, however, has exempted half the property within her limits from direct taxation. The mining claims are not, now, one half of the property of the State, but they may be one third or one fourth of it. For a long time, however, they were three fourths of the property; and taking the last thirteen years together, we can safely say that one half the property has been exempted. The amount of direct tax on property paid into the State Treasury in that time has been about eight millions of dollars, so that the farmers, the merchants, the mechanics, and the laborers, have paid more than eight millions, while the miners have had none of the burden. And not content with such exemption in the past, they demand that the unequal and unjust system shall be perpetuated for their future benefit. They have already had the advantage by eight millions of dollars; the State is deeply in debt, and it is time that henceforth they should pay their fair proportion.

This is not simply justice to the State, but to the farmers, the gardeners, the mechanics, and the merchants in the mining counties. These men have paid, independent of State taxes, about eight millions of dollars of county taxes since the formation of the State government, while the miners, who held four fifths of the property in those very counties, refused to pay one cent of property tax on their mines. While the mining population has been gradually decreasing, the agriculturists have been increasing, until the former class are probably in a minority in half

the mining counties, and in no large majority in the remaining half. Justice, therefor, as well as the Constitution, requires that mining claims should be taxed.

But the miners say, that policy requires the exemption of the mines from taxation—that we must encourage the mining interest, because our chief wealth comes from the mines. To this we reply, by asserting that that policy forbids the commission of any such injustice. It is a wrong too gross to be politic. The miner does not deserve encouragement more than the farmer or the mechanic. All are equally necessary to the welfare of the State. All equally deserve encouragement. Neither has the right to demand that he shall be selected for a special and unexampled exemption from all the burdens of the State to the prejudice of the others.

Again, the miners say that to tax the mines will drive men from the business, and kill the goose that lays the golden egg. To this we reply, that it is easy to make extravagant assertions. If the mines had been taxed and the farms exempted, and the farmers should say that many would leave farming, and the price of flour, grain, and vegetables, must rise if the farming lands were taxed at the same rate as other property, would that be a sufficient reason for adhering to the unjust system? Certainly not. If the miner's ox were gored, he would make a terrible complaint; but when his neighbor's ox suffers, he thinks it all right. But there is no reason to apprehend that the mining interest will suffer the least discouragement from this tax. If a mine is not worth anything, it will not have to pay anything. If it is valuable, the owner can and should pay. The chief revenue from mining claims will be paid by wealthy men. The surface mines are nearly exhausted; the deep placer mines and quartz mines of gold, and the mines of silver, quicksilver, copper, tin, and coal, at least nearly all that produce anything, or have any recognized value in the market, are owned by wealthy individuals or companies, and can well afford to pay. The principle which applies to farms applies also to mines. If a man has a valuable piece of property he will not throw it away because there is a tax of two or three per cent on it.

Again, the miners say that a tax on mining claims would be a tax on labor; that the claims are worth nothing in their natural condition, and it is only after they have been opened at much expense that they become productive. But in this respect they do not differ from many other kinds of property. The farm must be fenced and ploughed before it will bear a crop; the vineyard and orchard must be planted and cultivated for years before they come into full bearing; the railroad must be graded and the track laid down; the town lot must be furnished with a house, and be subjected to assessments for grading and paving the streets; and all these classes of property are taxed, with no thought of complaint on the part of the owner.

We do not remember to have heard any noteworthy arguments in favor of the exemption upon any grounds of constitutional obligation or justice; and all those suggested on the grounds of policy we have noticed and controverted. Policy, so far from favoring the exemption, forbids it. It never can be politic to violate the plain letter and spirit of the Constitution and the principles of Justice. There is already much dissatisfaction among the native Californians, to whom the constitutional promise of equal taxation was made, and a similar dissatisfaction prevails among the agriculturalists and merchants. This dissatisfaction may increase after the development of the mines now being opened in the

agricultural counties, where the population, expenses, and taxes in those counties shall have been greatly increased, with no tax upon the interest which causes the increase.

Besides, it would be bad policy to depart from the rules of justice, when the Constitutional Convention of the adjacent Territory of Nevada, where the same principles apply, has adopted the following clause:

“The Legislature shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property, both real and personal, including mines and mining property, excepting such property only as may be exempted by law for municipal, educational; literary, scientific, religious, or charitable purposes.”

Another reason of policy that should have great influence in favor of taxing the mines is, that the representatives of a class who do not feel their due share of the burdens of taxation are reckless with the public money. It is a very easy matter to spend the money of other people. The principle is a plain one; and as a matter of fact the majority of the enemies of extravagance in the Legislature have always been from the agricultural and commercial counties. As a general rule the representative will usually be economical in proportion as his constituents are oppressed by taxes.

Constitutional injunction, justice, and policy, all concur, therefore, in demanding that the mines shall no longer be exempted from taxation, but that this bill should pass.

CLAYTON.

REPORT

OF

SENATE FINANCE COMMITTEE

ON

Indebtedness incurred by Expeditions against Indians.

O. M. CLAYES.....STATE PRINTER.

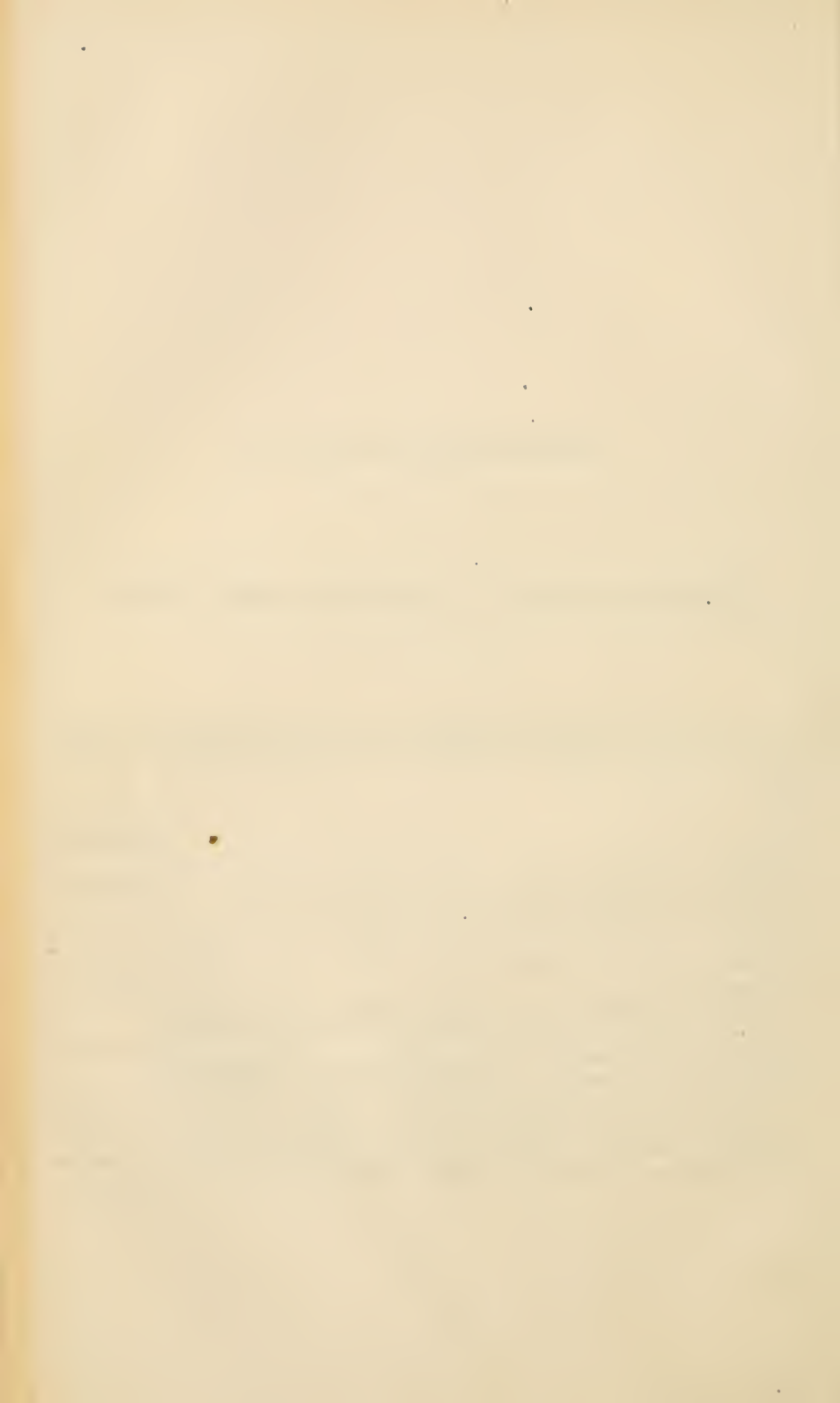
MEMORANDUM

OF

Indebtedness incurred by Expeditions against Indians.

The amount of indebtedness for the expeditions of eighteen hundred and fifty, eighteen hundred and fifty-one, and eighteen hundred and fifty-two, is as follows, viz. :

Principal	\$39,650 00
Interest to January 1st, 1864; paid by State seven per cent bonds and interest, (issued since January 1st, 1854)	25,124 77
Amount of expedition in Mendocino, 1859; paid by State in cash	9,347 39
Humboldt expedition, 1861, Captain Werks; paid by State in cash	16,382 60
Humboldt expedition, 1860, Wright's corps; paid by State bonds, payment of which conditioned when Congress shall appropriate the money	3,502 62
Captain Hayes' Company "California Rangers," 1851 and 1852; paid by State bonds, payment of which conditioned when Congress shall appropriate the money	7,761 18
Pitt River expedition, 1858, ordered by Brigadier-General D. D. Colton; unaudited; claims amount to	3,000 00



MEMORIAL

OF THE

State Agricultural Society

TO THE

LEGISLATURE OF CALIFORNIA.

O. M. CLAYESSTATE PRINTER.

MEMORIAL.

To the Honorable the Senate and Assembly of the State of California :

Your memorialists, members of the State Board of Agriculture, respectfully represent to your honorable bodies that the State Agricultural Society, through misfortune, and perhaps through imprudent mismanagement in years past, is now in debt in the sum of nineteen thousand dollars, in round numbers; that said indebtedness impairs the credit of the Society, and curtails its sphere of usefulness, much to the detriment of all the various productive interests of the State; that while thus indebted, the Society cannot, with safety, publish a premium list sufficiently liberal to bring together such an exhibition of the industry of the State as to do our unrivalled resources credit, either at home or abroad, or to be productive of the innumerable benefits certain to follow a full and general exhibition.

In addition to the above considerations, your memorialists will here state a fact perhaps not generally known to the members of your honorable bodies, to-wit: That the lease, under which the Society holds perpetual possession and use of the Agricultural Park or Stock Grounds in this city, and for the improvement of which the State has expended some fifteen thousand dollars, contains a condition that if the Society should fail to occupy the same by holding a Fair for one single year, then all the rights and immunities which the Society now enjoys to the same, including all the property and improvements thereon, shall revert to and be vested in the lessors, to-wit: the "Sacramento Park Association."

This property, at some day not far distant in the future, will no doubt be worth hundreds of thousands of dollars. Hence, laying all other considerations aside, it is easy to perceive the importance to the Society itself of keeping up its annual exhibitions. To this fact, also, and to the additional fact that much of the stock of the "Sacramento Park Association," originally owned by many individuals, is now in the hands of but few, is traceable to the real but secret origin of much of the active opposition to the passage of the bill introduced by Senator Heacock, for the payment of the debts of the Society by a special tax levied upon the property within the City and County of Sacramento, while the ostensible reason given for such opposition is "high taxation."

It cannot be denied that the taxes in this city and county are, indeed, very burdensome; nor can it be denied that, while the industrial pursuits of the State at large receive great and invaluable assistance and benefit from the untrammelled and successful transactions of this Society, yet the immediate pecuniary benefits inure almost entirely to the City and County of Sacramento when the annual Fairs are held.

It is upon the recognition of these facts that the bill is drawn, and for the reasons above set forth, that your memorialists ask its passage.

And your petitioners will ever pray, etc.

CHAS. F. REED,
President;

N. L. DREW,
J. J. OWEN,
ROBT BECK,
J. H. CULVER,
CHARLES HOLBROOK,
Directors.

TRANSACTIONS

OF THE

CALIFORNIA

State Agricultural Society,

DURING

THE YEAR 1863.



SACRAMENTO :

O. M. CLAYES, STATE PRINTER.

1864.

P R E F A C E .

In the transactions of the State Agricultural Society for eighteen hundred and sixty-three, being the first year under the management of the Board of Agriculture, it has been the steady purpose, faithfully and truthfully, to exhibit and develop the wonderful and various mining and industrial resources of California. The means at the disposal of the Board have been limited, and if their success has not been as complete as may have been desired, it must be attributed to this fact and to a limited experience in so vast an undertaking, rather than to any want of energy or disposition.

In addition to holding an annual exhibition of the industry and products of the State, the Board have recognized it as an equally important part of their duty to use all suitable means at their disposal to collect and diffuse all classes of information calculated to aid in the development of the agricultural, stock raising, mineral, mechanical, and manufacturing resources of the State.

In a community surrounded by such an endless variety of magnificent resources, developing and to be developed, and possessing such daring enterprise, such indomitable energy, and such untiring perseverance as Californians are known to possess, it is no small undertaking to keep a faithful record of the actual developments, to say nothing of an attempt to aid and direct them.

Bearing these things in mind, the Board would ask the indulgence of the reader for any imperfections or omissions in this volume, and at the same time solicit a candid and careful perusal of its contents, both as to the records of facts and the suggestions for increasing the facilities and usefulness of the Society in the future.

For the Board.

I. N. HOAG,
Secretary.



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OFFICERS FOR 1863.

PRESIDENT.

HON. ISAAC DAVIS.....Yolo.

DIRECTORS.

Directors whose terms expire in January, 1864.

JAMES McCLATCHY.....Sacramento.
G. R. WARRENSan Joaquin.
MIKE BRYTE.....Yolo.

Directors whose terms expire in January, 1865.

R. J. WALSH.....Colusa.
C. H. GRIMM.....Sacramento.
ROBERT BECK.....Sacramento.

Directors whose terms expire in January, 1866.

WILLIAM H. PARKS.....Sutter.
CHARLES HOLBROOK.....Sacramento.
N. L. DREW.....Sacramento.

TREASURER.

E. B. RYAN.....Sacramento.

SECRETARY.

I. N. HOAG.....Yolo.

A COMPILATION

OF ALL THE LAWS NOW IN FORCE RELATING TO OR AFFECTING THE STATE AGRICULTURAL SOCIETY.

AN ACT TO INCORPORATE A STATE AGRICULTURAL SOCIETY, AND APPROPRIATE MONEY FOR ITS SUPPORT.

The People of the State of California, represented in Senate and Assembly, do enact as follows :

SECTION 1. There is hereby established and incorporated a society to be known and designated by the name and style of the "CALIFORNIA STATE AGRICULTURAL SOCIETY," and by that name and style shall have perpetual succession, and shall have power to contract and be contracted with, to sue and be sued, and shall have authority to have and use a common seal, to make, ordain, and establish, and put in execution such by-laws, ordinances, rules, and regulations, as shall be necessary for the good government of said society, and the prudent and efficient management of its affairs; *provided*, that said laws, ordinances, rules, and regulations, shall not be contrary to any provision of this charter, nor the laws and Constitution of this State, or of the United States.

SEC. 2. In addition to the powers above enumerated, the society shall, by its name aforesaid, have power to purchase and hold any quantity of land not exceeding four sections, and may sell and dispose of the same at pleasure. The said real estate shall be held by said society for the sole purpose of establishing a model experimental farm or farms, erecting inclosures, buildings, and other improvements, calculated and designed for the meeting of the society, and for an exhibition of the various breeds of horses, cattle, mules, and other stock, and of agricultural, mechanical, and domestic manufactures and productions, and for no other purposes.

And it is further enacted, That if, from any cause, said society shall ever be dissolved, or fail to meet within the period of two consecutive years, then the real estate held by it, together with all the buildings and appur-

tenances belonging to said estate, shall be sold as lands are now sold by execution, and the proceeds deposited in the State Treasury, subject to the control of the Legislature.

AN ACT SUPPLEMENTAL TO AN ACT TO INCORPORATE A STATE AGRICULTURAL SOCIETY, APPROVED MAY THIRTEENTH, EIGHTEEN HUNDRED AND FIFTY-TWO, AND AMENDED MARCH TWENTIETH, EIGHTEEN HUNDRED AND FIFTY-EIGHT.

The People of the State of California, represented in Senate and Assembly, do enact as follows :

SECTION 1. The general prudential and financial affairs of the society shall be intrusted to a Board of Agriculture, to consist of a President and nine Directors, five of whom shall constitute a quorum.

[Amended Section.]

SEC. 2. Said Board of Agriculture shall be elected at a general State Agricultural Convention, to be held at the Capital of the State, in the year one thousand eight hundred and sixty-three, in the month of March, and in the month of January every year thereafter, to consist of the life members and annual members of the State Agricultural Society, and from delegates from each County Agricultural Society within this State, incorporated under the general laws of this State for such corporations, and an equal number from each District Agricultural Society, also incorporated under the general laws of this State for such purposes; said delegates to be chosen at the annual fair or annual meeting of each such society next preceding the State Agricultural Convention; *provided*, said Convention, to be held in March, in the year one thousand eight hundred and sixty-three, may admit any person or persons representing any of said County or District Agricultural Societies, as the Convention may determine by a majority vote whether such persons shall have been elected by their respective County or District Societies as provided in this Act, or not.

SEC. 3. The Board of Agriculture shall, at its first meeting after its election, be divided by lot into three equal portions, (omitting the President,) one portion to continue in office one year, one portion two years, and one portion three years; one third of the number, together with the President, to be elected at the State Agricultural Convention annually thereafter; the Directors to hold office three years.

SEC. 4. The Board of Agriculture may, in the absence of the President, choose one of its other members temporary Chairman. They shall elect a Treasurer and Secretary, not members of the Board, prescribe their duties, fix their pay, and the said Treasurer and Secretary shall be subject to removal at any time by a majority of said Board.

SEC. 5. The Board of Agriculture shall use all suitable means to collect and diffuse all classes of information calculated to aid in the development of the agricultural, stock raising, mineral, mechanical, and manufacturing resources of the State; shall hold an annual exhibition of the industry and products of the State; and on or before the first day of January of each year in which the Legislature shall be in regular session,

they shall furnish to the Governor a full and detailed account of all its transactions, including all the facts elicited, statistics collected, and information gained on the subject for which it exists; and also a distinct financial account of all funds received from whatever source, and of every expenditure for whatever purpose, together with such suggestions as experience and good policy shall dictate for the advancement of the best interests of the State; the said reports to be treated as other State documents are.

SEC. 6. The Board of Agriculture shall have power to appoint a suitable number of persons to act as Marshals, who shall be from twelve o'clock, noon, of the day previous to the opening of the exhibition, until noon of the day after the close of the same, vested with all the powers and prerogatives with which Constables are invested, so far as acts or offences committed within or with reference to or in connection with the exhibition are concerned.

SEC. 7. The Board of Agriculture may, in its discretion, award premiums for the best cultivated farms, orchards, vineyards, gardens, etc.; *provided*, that said Board shall not audit, allow, or pay an amount exceeding one thousand dollars in any one year, for travelling expenses of Visiting Committee in examining said farms, et cetera; *provided*, further, that no persons except practical agriculturists shall be appointed on said committees.

SEC. 8. It shall be optional with any to whom a premium is awarded to receive the article named or its equivalent (as affixed) in coin.

SEC. 9. The State Agriculture Society shall have power, at its first annual meeting after the passage of this Act, to make such alterations in its Constitution as shall make it conform to the provisions of this Act.

SEC. 10. All Acts or provisions in conflict with the provisions of this Act are hereby repealed.

SEC. 11. This Act shall take effect from and after its passage.

AN ACT SUPPLEMENTAL TO AN ACT ENTITLED AN ACT SUPPLEMENTAL TO AN ACT TO INCORPORATE A STATE AGRICULTURAL SOCIETY, APPROVED MAY THIRTEENTH, ONE THOUSAND EIGHT HUNDRED AND FIFTY-FOUR, AND AMENDED MARCH THIRTIETH, ONE THOUSAND EIGHT HUNDRED AND FIFTY-EIGHT, APPROVED MARCH TWELFTH, EIGHTEEN HUNDRED AND SIXTY-THREE.

[Approved April 13th, 1863.]

The People of the State of California, represented in Senate and Assembly, do enact as follows :

SECTION 1. The Board of Directors mentioned in section one of the Act to which this Act is supplemental, shall audit all claims or demands against the State Agricultural Society that have accrued prior to the first day of January, eighteen hundred and sixty-three, and allow such as may be just and proper, and cause their warrants to be drawn on the Treasurer of said society, payable out of the General Fund. Said warrants shall be signed by the President and Secretary of said Board of Directors, and the Treasurer shall pay the same in the order of their

presentation, if there be money in said Fund; but if not, then he shall indorse on the back of the warrant, "presented and not paid for want of funds, this ——— day of ———, Anno Domini, eighteen hundred and sixty —," and said warrants shall draw interest at the rate of ten per cent per annum from the date of presentation until paid.

SEC. 2. All assets, moneys, and debts, due said society, that accrued prior to the first day of January, eighteen hundred and sixty-three, shall be placed to the credit of the General Fund, for the liquidation of the debts of said society created prior to said first day of January, eighteen hundred and sixty-three, and all moneys received during each fiscal year hereafter shall be placed to the credit of a Fund to be known as a Special Fund for the payment of current expenses, premiums, and awards, for the year in which the same was received, and to liquidate the outstanding indebtedness of said society, as hereinafter provided; and all moneys received from appropriations, donations, or from any other source, and all property acquired, shall be exempt from attachment and execution, for any debt or liability other than those created during that fiscal year.

SEC. 3. The Directors shall each year pay all claims or demands, and premiums awarded, before the last day of December, from said Special Fund; and if any money remain in said Special Fund after the liquidation of all claims and demands of that fiscal year, then the Directors shall advertise, in some newspaper published in Sacramento, that they will receive proposals for the surrendering of the outstanding warrants against the General Fund, naming the time and place where they will be received and opened. Said Board shall accept the bids that will surrender said warrants for the lowest per cent, until all the money remaining in said Fund is expended; and the Board may accept a bid for a part of any warrant, and issue a new warrant for the balance due on such warrant; *provided*, said Directors shall not receive any bid above par, or for any claim or demand that is not presented, allowed, and a warrant drawn, as provided in section one of this Act, within ninety days from the passage of this Act.

SEC. 4. No debt or demand of any kind against said society shall be paid by the Treasurer, or any other person, until it shall have first been audited by the Board of Directors, and on a warrant drawn upon the Treasurer, signed by the President and Secretary; and no premium that may have been awarded by any committee shall be paid until it has been approved by the Board of Directors.

SEC. 5. This Act shall take effect and be in force from and after its passage.

TENTH ANNUAL MEETING.

The time fixed by the Board of Directors for the annual meeting of the society was January twenty-eighth, eighteen hundred and sixty-three, at two o'clock P. M., at which time a few members met at the Pavilion, and adjourned to the twenty-fifth of February, at two o'clock P. M., to await the result of the action of the Legislature in amending the organic law of the society.

On the twenty-fifth of February another meeting was convened, and an adjournment had to the eleventh of March, for the same purpose.

SACRAMENTO, March 11th, 1863.

Agreeably to adjournment, the members of the society convened at the Pavilion at two o'clock P. M.

The President called the meeting to order, and stated its objects to be to hear and act upon the reports of the officers of the society, and to elect officers for the ensuing year. He understood that a new law, essentially changing the government and Constitution of the society, had passed the Legislature, but by some mishap had not received the signature of the Governor, but would soon be signed by him.

A number of communications from different parties were then read, and the report of the Board of Managers presented, and ordered on file.

The Financial Secretary's annual report, and that of the Treasurer, were then presented, and referred to a committee for examination; and as these reports are necessary to keep up the chain of the financial history of the society, they are inserted in this year's transactions, the transactions of eighteen hundred and sixty-two never having been published.

REPORT OF THE FINANCIAL SECRETARY.

CASH RECEIPTS.

Date.	On what Account.	Amount.
June 20	A. K. Grim, balance.....	\$5 25
20	D. O. Mills & Co., amount of loan.....	4,000 00

Date.	On what Account.	Amount.
July.....26	D. O. Mills & Co., amount of loan.....	\$1,000 00
26	A. K. Grim, from Concert Fund.....	493 00
October.. 4	128 new memberships at Fair of 1862.....	1,280 00
4	564 renewals.....	2,820 00
4	10,823 single tickets.....	5,411 00
4	842 double tickets.....	842 00
4	1 life membership	40 00
4	Rent of bar at Pavilion.....	50 00
4	Rent of saloon at Pavilion	40 00
4	Cider privilege, etc.....	35 00
4	Hat room.....	25 00
4	210 ball tickets	1,050 00
4	16 carriage tickets.....	4 75
4	Eoff, on race.....	30 00
4	Sundry renewals of memberships on account.....	235 00
4	Proceeds of sale of buggy, etc.....	499 50
	Total	\$20,861 00

STATEMENT OF EXPENDITURES PAID BY ORDERS DRAWN UPON THE TREASURER FROM JUNE 19, 1862, TO JANUARY, 1863, INCLUSIVE.

Date.	On what Account.	Amount.
June.....19	O. C. Wheeler, salary for December, 1861, and January, 1862.....	\$400 00
July.....1	William Turton, repairing Stock Grounds.....	961 25
1	William Turton, repairing Stock Grounds.....	800 00
1	John Rider, repairing Stock Grounds.....	500 00
1	John Rider, repairing Stock Grounds.....	443 50
1	Visiting Committee, month of June.....	78 50
1	O. C. Wheeler, for Visiting Committee for July..	100 00
19	J. F. Clark, part of salary.....	17 00
26	Ross & Simms, hay, etc.....	33 04
26	M. Fitzpatrick, painting.....	16 95
26	W. F. Knox, balance on lumber.....	140 05
26	D. W. Earl, balance on grain	54 46
26	R. P. Lee, (Mrs. Nevitt, Assignee).....	30 00
26	Democratic Standard, (Talbert, Assignee).....	13 15
26	H. R. Covey, horse hire.....	17 50
26	T. Ogg Shaw, balance on safe.....	67 50
26	J. J. Murphy, stationery, etc.....	34 70
26	Fireman's Journal, advertising.....	35 00
26	J. K. Prior, globes.....	75 00
26	F. S. Malone, livery	82 35
26	Gas Company, gas.....	163 75
26	P. Caduc, ice.....	37 66
26	Samuel McCullough, rent.....	30 00

Date.	On what Account.	Amount.
July..... 26	Friend & Terry, lumber.....	\$128 10
26	George W. Mowe, (Assignee of Michener).....	112 90
26	O. C. Wheeler, salary.....	99 50
26	N. Larco, (Assignee of W. Yule).....	240 00
26	B. F. Hastings, (Assignee of N. A. H. Ball).....	75 00
26	Boyd & Davis, (Assignees of N. A. H. Ball)	150 00
26	English & Madden, (Assignees of N. A. H. Ball).....	75 00
26	H. S. Crocker & Co.....	10 95
26	J. J. Murphy.....	35 40
26	Thomas Day, (Assignee of Hanbridge).....	67 80
26	O. C. Wheeler, salary for March	100 00
26	P. Donahue, balance.....	35 00
26	J. Blewitt.....	5 25
26	John Emerson.....	30 00
26	W. H. H. Lee.....	3 25
26	S. D. Smith.....	\$44 50
26	J. B. Owens & Co.....	3 00
26	A. Badlam, Sr.....	14 00
26	M. Fitzpatrick.....	147 00
26	Grimes & Felton.....	19 75
26	J. M. Jordan.....	15 00
26	Daily Union.....	7 37
26	Fuller & Heather.....	2 25
26	O. C. Wheeler, February, April, and May, salary	300 00
26	D. O. Mills & Co., one half amount note and in-	
26	terest on loan.....	700 00
26	Fuller & Heather.....	9 25
	J. J. Murphy.....	62 80
28	D. O. Mills & Co., one half amount note and in-	
	terest on loan.....	700 00
August... 11	J. F. Clark, services as Clerk.....	67 25
13	Visiting Committee, travelling expenses.....	100 00
14	Daily Union.....	22 25
14	Daily Bee.....	16 00
14	A. Steiner.....	2 50
14	Lull, Ross & Co.....	8 00
14	M. Fitzpatrick.....	30 00
14	Friend & Terry.....	17 49
14	S. F. Dodson.....	32 25
14	A. Badlam, Sr., printing, etc.....	185 00
Sept 14	N. L. Drew, lumber, etc.....	131 67
14	Treadwell & Co., nails, etc.....	34 25
14	W. F. Knox, labor.....	238 00
14	J. M. Boardman, reeving balyards.....	30 00
29	John Rider, work at Park.....	169 00
29	Burgess & Goff, work at Pavilion.....	25 00
30	John Rider, labor (part pay).....	40 00
30	B. F. Hastings, account of old debt.....	650 00
30	O. C. Wheeler, salary.....	499 50
30	Mr. Lee, watchman at Pavilion.....	15 00
October ... 4	J. Reiner, labor.....	28 00

Date.	On what Account.	Amount.
October..4	J. E. Merrill, labor.....	\$16 00
4	W. A. Knapp, Clerk at Stock Grounds	25 00
4	J. F. Smith, labor and Clerk.....	25 00
4	G. W. Wheeler, watchman Stock Grounds.....	20 00
4	N. B. Kendall, watchman at Pavilion.....	16 00
4	H. L. Roby, labor at Pavilion.....	16 00
4	C. Williams, chambermaid at Pavilion.....	12 50
4	J. Dickerson, labor at Pavilion.....	16 00
4	A. Haraszthy & Co., purses.....	612 50
4	Wells, Fargo & Co, silver ware.....	3,789 94
1	Locke & Lavenson, upholstery.....	315 00
1	James Anthony & Co., printing, etc.....	299 12
4	T. B. Hatch, clock.....	30 00
4	John Burgess, labor.....	27 50
4	P. Kelly, hauling.....	25 00
4	California Farmer, advertising.....	30 00
4	F. McRay, watchman.....	8 00
4	J. F. Roberts, door keeper.....	16 00
4	L. Whittier, gate keeper.....	16 00
4	E. T. Cole, watchman at Pavilion.....	16 00
4	George Lang, door keeper.....	16 00
4	John Liness, carpentering.....	4 00
4	George Wallace, carpentering.....	10 00
4	Samuel Deal, gate keeper.....	20 00
4	D. C. Gay, gate keeper.....	20 00
4	Patrick Long, gate keeper.....	20 00
4	Gate keeper and usher.....	20 00
4	— Dellehanty, night watchman.....	20 00
4	— Kiernan, labor.....	20 00
4	John Rider, labor	100 00
4	C. Crocker, cotton cloth, etc.....	50 00
4	J. F. Clark, Clerk.....	37 50
4	J. Morrill, labor	20 00
4	T. Lowry, labor.....	12 00
4	A. G. Hoagland, Clerk.....	20 00
4	E. B. Wheeler, Clerk.....	16 00
4	S. F. Dodson, labor.....	84 00
4	George Rowland, postage stamps.....	37 00
4	O. Cunningham, whitewashing..	25 00
4	C. DeBoice, Clerk.....	20 00
4	James Queen, Clerk	25 00
4	M. Fitzpatrick, painting and plastering.....	50 00
4	Peter Goff, labor.....	30 00
4	L. Lotthammer, music.....	300 00
4	O. C. Wheeler, salary.	300 00
4	H. S. Beals, Usher and Assistant.....	36 00
4	George Rowland, envelops and stamps.....	14 50
4	N. L. Drew, lumber.....	422 76
4	Huntington & Hopkins, hardware.....	90 00
4	Sacramento Gas Company, gas.....	180 00
4	William Mace, hay and straw.....	300 00

Date.	On what Account.	Amount.
October ...	John Rider, labor, etc.....	\$745 76
4	P. Carley, labor, etc.....	12 00
4	J. Tingman, Clerk.....	20 00
4	T. J. Owens, labor.....	6 00
4	J. C. Morrow, labor.....	12 00
4	T. J. McKim, running engine, repairing, etc.....	181 37
4	W. Sheek, Watchman.....	16 00
4	D. W. Clark, plumbing, gas-fitting, etc.....	158 00
4	L. Whittier, carpentering.....	20 00
4	T. O'Brien, ornamenting.....	115 00
4	— Van Ryper, labor.....	21 25
4	G. H. Swinerton, pumps.....	85 00
4	G. I. N. Monell, Clerk.....	30 00
4	J. Beran, labor.....	15 00
4	R. Bradley, labor.....	8 00
4	M. T. Crowell, door keeper, labor, etc.....	40 00
4	Sheriff, costs, etc.....	31 30
4	William M. Harron, disbursements.....	84 00
4	John Bell, labor.....	8 00
4	O. C. Wheeler, disbursements.....	8 00
4	Sheriff, Monell garnisheement.....	15 00
4	John Dreman, door keeper at Pavilion.....	20 00
4	F. T. Burke, door keeper at Pavilion.....	20 00
4	E. B. Ryan, salary and disbursements.....	304 00
4	O. C. Wheeler, salary.....	368 00
4	F. W. Hatch, salary.....	262 00
4	Hyatt & Hubbard, purse for Eoff.	87 50
4	Samuel McCullough, old debt and costs.....	45 00
4	S. T. Dodson, carpenter work.....	25 00
4	J. Taylor.....	20 00
4	Discount, Wells, Fargo & Co.....	2 50
4	O. C. Wheeler in cash and membership.....	175 00
4	Friend & Terry, membership on old account.....	50 00
4	W. F. Knox, renewals of membership, old account.....	55 00
4	T. J. McKim, renewal of membership, on account.....	5 00
4	M. T. Crowell, renewal of membership, on account.....	5 00
4	M. R. Rose, renewal of membership, on account.....	5 00
4	N. Greene Curtis, renewal of membership, on account.....	5 00
4	A. G. Hoagland, two renewals of membership, on account.....	10 00
4	S. T. Dodson, one renewal of membership, on account.....	5 00
4	N. L. Drew & Co., two renewals of membership, on account.....	10 00
4	J. Rider, one renewal of membership, on account.....	15 00

Name.	On what Account.	Amount.
October...4	W. Moorhead, one renewal of membership, on account.....	\$5 00
	Sundries paid during Fair.....	112 89
	Total.....	\$20,561 00
	Total receipts.....	\$20,861 00
	Total disbursements.....	20,561 00
	Balance.....	\$300 00
	In hands of Sheriff.....	\$169 00
	In hands of Harman & Hartley.....	72 00
	In hands of C. H. Grimm.....	59 00
	Balance.....	\$300 00
February 1	Dues received and paid into Treasury.....	25 00

STATEMENT OF LIABILITIES—NOTES.

Date.	Name and Purpose.	Amount.
1860.		
April 28...	L. B. Harris, (interest 2½ per cent).....	\$2,500 00
	Interest due on same to January 28, 1863.....	2,063 50
Oct. 18.....	N. G. Curtis, (interest 2½ per cent).....	2,000 00
	Interest due on same to January 18, 1863.....	969 86
Oct. 19.....	Ross & Sims, (interest 2 per cent).....	500 00
	Interest due on same to January 19, 1863.....	270 00
Oct. 19.....	N. L. Drew & Co., (interest 2 per cent).....	500 00
	Interest due on same to January 19, 1863.....	270 00
Oct. 19.....	D. W. Earl & Co., (interest 2 per cent).....	500 00
	Interest due on same to January 19, 1863.....	270 00
Oct. 22.....	H. W. Larkin, (interest 2 per cent).....	1,000 00
	Interest due on same to January 22, 1863.....	540 00
Oct. 23.....	Charles Crocker, (interest 2 per cent).....	350 00
	Interest due on same to January 23, 1863.....	189 00
1862.		
May 1.....	B. F. Hastings & Co., (int. 2 per cent)..	\$8,150 57
	Interest due on same to Dec. 1, 1862..	1,172 75
		\$9,323 32
	Less amount realized sale of safe..	\$225
	Less amount realized rent of Park	300
	Less amount cash paid.....	650
		1,175 00
	Total amount due on notes and interest....	\$8,148 32
		\$20,070 68

OPEN ACCOUNTS—OUTSTANDING BALANCES OF 1860.

Ross & Sims.....	\$33 05
M. Fitzpatrick.....	16 95
W. F. Knox.....	95 05
D. W. Earl & Co.....	54 46
R. P. Lee, (Mrs. Nevett, Assignee).....	30 00
Democratic Standard, (Talbert, Assignee).....	13 15
H. R. Covey.....	17 55
T. Ogg Shaw.....	67 50
J. J. Murphy.....	34 70
Fireman's Journal.....	35 00
J. K. Prior.....	75 00
F. S. Malone.....	82 35
Sacramento Gas Company..	163 76
P. Caduc.....	37 66
Friend & Terry.....	178 22
W. P. Michener, (George Mowe, Assignee).....	112 89
G. H. Baker.....	27 45
N. Larco, (Assignee to William Yule).....	240 00
B. F. Hastings & Co., (Assignee, N. A. H. Ball).....	75 00
Boyd & Davis, (Assignee, N. A. H. Ball).....	150 00
English & Madden, (Assignee, N. A. H. Ball).....	75 00
H. S. Crocker & Co.....	10 95
J. J. Murphy.....	35 40
Thomas Day, (Assignee, Thomas Hanbridge).....	67 80
Friend & Terry.....	41 34
A. Badlam, Sr.....	67 00

OUTSTANDING BALANCES ON FILE, MARCH, 1862.

P. Donahue.....	\$35 00
John Emerson.....	30 00
W. H. H. Lee.....	3 25
S. D. Smith.....	44 50
J. B. Owens & Co.....	3 00
A. Badlam, Sr.....	14 00
J. J. Murphy.....	62 80
Fuller & Heather.....	9 25
M. Fitzpatrick.....	147 00
Grimes & Felton.....	19 75
J. F. Jordan.....	15 00
Daily Union.....	7 37
Fuller & Heather.....	2 25
J. Blevolt.....	5 25
Total.....	\$398 42
Total old liabilities to January, 1863	\$22,306 33

OPEN ACCOUNTS — OUTSTANDING ON FILE FROM MARCH, 1862, TO DATE —
BALANCES.

J. L. Merrill.....	\$97 00
John Rider.....	54 39
Dennergy & Brother.....	18 00
Sacramento Gas Company.....	63 00
J. M. Jordan.....	15 00
Daily Bee.....	30 00
William Mace.....	391 28
William Mace..	206 12
L. Lotthammer.....	240 00
J. Domingos.....	19 00
L. Stanford.....	6 00
J. D. Tate.....	35 00
M. R. Rose.....	35 25
John Roche.....	35 50
Union Brass Band.....	15 00
Phil Caduc.....	26 25
Williams & Calvin.....	12 00
D. W. Clark.....	13 00
James Lansing.....	20 00
Fuller & Heather.....	83 50
F. J. Moore.....	120 45
P. H. Russell.....	15 88
James Hawks.....	8 50
Leonard & Seaman.....	50 25
Leonard & Seaman.....	125 12
Leonard & Seaman.....	24 80
James Anthony & Company.....	13 50
James Anthony & Company.....	58 75
E. M. Skaggs.....	94 00
Paine & Brother.....	12 00
S. Dodge.....	19 50
C. Crocker.....	.. ..
John Rider.....	.. ..
Hyatt & Hubbard.....	.. ..
S. Tryon.....	81 00
M. Fitzpatrick.....	120 00
A. Badlam, Sr.....	17 50
Joseph Shaw.....	28 82
Joseph Shaw.....	200 00
H. M. Bernard.....	15 50
M. Devine.....	13 50
Mrs. Ames.....	62 50
J. L. Merrill.....	.. ..
A. Lamott.....	24 50
A. G. Hoagland.....	95 00
S. B. Leavitt.....	68 25
Jones & Marzen.....	8 75
Richart & Stevens.....	6 00
Locke & Lavenson.....	105 43
Owen Cunningham.....	25 00

Huntington & Hopkins.....	\$24 44
Sacramento Gas Company.....	.....
D. W. Clark	52 90
T. O'Brien.....	35 00
G. H. Swinerton.....	30 50
N. L. Drew.....	724 62
B. F. Hastings.....	.....
Total.....	\$26,473 58

PROPERTY AND CASH ASSETS—JANUARY, 1863.

State appropriation, 1862, November.....	\$5,000 00
Silver ware and books.....	778 97
Fountain.....	1,500 00
One large tent.....	400 00
Agricultural Fund in County Treasury.....	937 00
Balance due from D. O. Mills & Co. on State appropriations..	1,200 00
Marble statue.....	150 00
Deficiency to balance.....	16,507 61
Total	\$26,473 58

RECEIPTS FROM MAY 15, 1862, TO 1863.

From A. K. Grim, former Treasurer	\$5 25
D. O. Mills & Co., loans.....	8,000 00
A. K. Grim, on account of Pavilion	493 00
State Fair of 1862, total receipts.....	11,863 25
Sale of buggy, etc.....	499 50
Total	\$20,861 00

DISBURSEMENTS FROM MAY 15, 1862, TO 1863.

Paid O. C. Wheeler, Corresponding Secretary.....	\$2,242 00
Rider & Turton, repairs, etc., stock grounds.....	3,759 51
Expenses Visiting Committee.....	278 00
Fifty per cent on old accounts of 1860	2,125 08
Fifty per cent on D. O. Mills & Co.'s account of 1860.....	1,400 00
For lumber.....	554 43
For printing, etc.....	630 12
For purses, etc.....	700 00
B. F. Hastings, on old account of 1860	650 00
Running engine, etc.....	181 30
Carpentering, etc.....	413 25

Wells, Fargo & Co., for silverware.....	3,792 44
Music	300 00
For Clerks	315 75
For hay and straw.....	300 00
For gas	180 00
For halyards, etc.....	30 00
For upholstery	315 00
For stationery.....	62 00
For ornamenting Pavilion.....	115 00
For plumbing, etc.....	158 00
For plastering wall etc.	80 00
For pumps.....	85 00
For Sheriff's costs.....	46 30
For disbursements (Harron).....	84 00
For part salaries of Financial and Recording Secretaries.....	566 00
S. McCullough's old debt and costs.....	45 00
For sundries, (labor, material, etc.).....	869 41
For renewals of memberships, etc., on account.....	175 00
Cash in hands of Sheriff.....	160 00
Cash in hands of Harmon & Hartley.....	72 00
Cash in hands of C. H. Grimm	59 00
Paid sundries, (Hatch, \$70)	108 41
Total	\$20,861 00

Respectfully, etc.,

E. B. RYAN, Recording Secretary.

REPORT OF TREASURER.

AMOUNT RECEIVED FROM ALL SOURCES.

Date.	From whom.	Amount.
1862.		
June.....16	From A. K. Grim, ex-Treasurer	\$5 25
June.....17	From D. O. Mills & Co.....	4,000 00
July.....29	From D. O. Mills & Co.....	4,000 00
Sept.....5	From A. K. Grim	493 00
Sept.....20	From E. B. Ryan.....	749 00
Oct.....1	From E. B. Ryan.....	105 00
1863.		
Jan.....1	From County Auditor	937 16
Jan.....1	From E. B. Ryan.....	11,069 86
Feb.....1	From E. B. Ryan.....	25 00
	Total.....	\$21,384 27
	To amount expended as per vouchers herewith transmitted.....	21,359 29
	Balance in Treasury.....	\$25 00

F. W. HATCH, Treas. S. A. S.

SACRAMENTO, March 11, 1863.

After some discussion as to whether an election of officers should be held under the law as it then existed, or under the law just passed and in the hands of the Governor, the meeting adjourned until to-morrow at half past three o'clock P. M.

SACRAMENTO, March 12th, 1863—3:30, P. M.

In the absence of A. Haraszthy, the President, (who had been called away,) O. C. Wheeler, Secretary, called the meeting to order, and stated that Isaac Davis, the First Vice President, would preside.

Mr. Davis took the Chair and announced the meeting in session and ready for business.

William H. Parks, Senator from Sutter, having been appointed a committee, yesterday, to procure, if necessary, the passage of a law which would enable the Society to proceed with the election, reported that he had secured the passage of such a bill, and now presented a copy of the same. (See page 2, Section 2, amended.)

Mr. Parks said that upon examining the law just passed and approved this day, he found that it only provided for the election of delegates by the district and county societies to attend the annual meetings of the

State Society which should be held in the month of January of each year, and did not therefore authorize the election of delegates by those societies to represent them at this annual meeting, convened as it was in March; hence he had made a provision in the amendatory Act now presented authorizing the State Society, by a vote of the members present at this meeting, to permit any person present who desired to represent any of the district or county societies to do so, whether legally elected a delegate from such society or not.

Upon motion of Wilson Flint, the meeting then invited all persons who had been elected delegates to this Convention from other agricultural societies, to take their seats as such delegates; and in the absence of such delegates so elected, that the members of the Legislature present from such districts be elected and invited to represent such societies at this meeting.

Under this invitation and election, G. N. Swezy, (President of the Northern District Society), from Yuba County; Hon. William H. Parks, of Sutter; Hon. Thomas Shannon, of Plumas; and Hon. James Collins, of Nevada, represented that society.

Hon. G. R. Warren, of Stockton; Hon. S. Meyers, Hon. D. J. Staples, and J. Sarles, Esq., of San Joaquin, represented the San Joaquin Valley District Society.

Hon. S. W. Sanderson, and Hon. O. Harvey, of El Dorado, represented the El Dorado County Society.

Dr. J. R. Crandall, J. R. Nickerson, Esq., and S. B. Wyman, represented the Placer County Society.

The Bay District Society was represented by A. A. Cohn, of Alameda, and M. D. Boruck, of San Francisco.

The Plumas County Society was represented by Hon. T. B. Shannon, and Hon. M. D. Howell, of Plumas.

Being thus fully organized, the next business in order was the election of a President and nine Directors for the current year.

J. R. Moore nominated Isaac Davis, of Yolo, for President for the ensuing year. Having known that gentleman for many years, he could state he was always mainly engaged in agriculture, and had been deeply interested in that subject during his whole life. He would attend to the duties of the office faithfully during the entire year.

The Presiding Officer (Isaac Davis) said he would like to place in nomination J. R. Crandall, of Placer County.

D. H. Staples said he had heard several gentlemen speak of J. G. Doll, of Tehama, in connection with the Presidency of the Society. As there might be some who would like to vote for him, he placed that gentleman's name in nomination.

The Society proceeded to ballot. Whole number of votes cast, one hundred and eight. Necessary to a choice, fifty-five. Isaac Davis received sixty-three.

Mr. Davis, having received a majority of all the votes, was declared duly elected.

Mr. Davis made the following remarks:

"GENTLEMEN:—I thank you for the honor you have conferred upon me. It is an honorable position, to be sure, to be elected President of this Society; at the same time, I assure you it was very unexpected to me. I did not desire the position, but as you have decided so by your vote, I suppose I shall have to submit and endeavor to sustain the office. Therefore, I again thank you."

A. D. Rightmire moved that the election be declared unanimous, which was carried unanimously.

The President said he presumed the next thing in order would be the election of nine Directors.

A. K. Grim moved that a committee of five be appointed by the Chair to name nine candidates for the consideration of the Convention.

J. F. Montgomery opposed the motion as bad policy, and hoped gentlemen from the different sections of the State, who were acquainted with all the parties and the interests to be represented, would nominate the candidates themselves. Thus, every part of the State would be treated alike, and every possibility precluded of the matter being fixed up by individuals.

M. D. Boruck hoped also that the motion would not prevail. He did not like Star Chamber doings, either in social, political, or beneficial matters. The duty of selecting candidates was not so onerous but that they could duly do it in Committee of the Whole as well as a select body could do it in an anteroom. He, for one, would not vote to concur in the report.

Mr. Staples said he had had some little experience in connection with this Society—his day in Court—and believed it necessary to have at least five of the Directors within reach of the Capital. He threw out this hint in view of the trials and labors he knew to be requisite to make the Society a success. For his part, he should vote against any man, though selected by the committee, who, he thought, might not serve the best interests of the Society.

Mr. Boruck said they could make the selections as quick as any Select Committee, and the matter was important. If it were left to a committee, the Convention must take a recess, or adjourn over, for they could not hastily present them a ticket that they would be willing to vote for.

J. H. Culver moved that five of the Directors be elected from the vicinity of Sacramento.

Mr. Curtis suggested that the representatives of the several counties simply put down the names of those they preferred to have elected, and submit their preference to a committee. He insisted on the motion that five Directors be within convenient distance of the Capital.

C. H. Grimm thought four would be sufficient. His idea was that the different parts of the State should be as widely represented as possible, and the Society be divested of local influences. The President being so near Sacramento, four in addition to him would generally secure a quorum.

J. R. Moore moved to amend the motion of Mr. Grimm, that the Convention proceed to elect nine Directors.

J. S. Hittell believed the former motion to be the only one regularly before the House, and it should be adopted, for all knew that in a large assemblage, where many persons were collected, with different views, there was apt to be great confusion. Their object was to select men who would work. Without considering the matter carefully, no such body of Directors would be likely to be selected. Persons who had suggestions to make might go to the committee. In Convention they could not speak so freely of the character of individuals. If he had objections to any one, he did not wish it to go into the newspapers.

After further discussion :

David Bush moved that the Convention now proceed to nominate five members outside of Sacramento and vicinity.

C. H. Grimm opposed the motion, because he did not wish to discriminate between outside and inside of Sacramento.

D. J. Staples, as one who had represented this society outside of Sacramento, said he had no fears about the effect. It was well known to every man in the State, conversant with the State Agricultural Society, that Sacramentans would look out for their own interest. It would remain prominent that Sacramento specially desired this society to be a success, and therefore demanded a quorum within reach at the monthly meetings. The interests of the society absolutely required it; and he was willing they should have it. He lived thirty-five miles away, and during the whole year of his service as a Director, he attended the monthly meetings regularly, at great inconvenience to himself, and found that it generally required his presence to make a quorum.

Thomas Hansbrow said the greatest trouble the society had hitherto encountered was the difficulty in securing a monthly quorum. Whoever might be selected, he hoped it would be only such as took an active interest in agriculture—at least five of whom resided close at hand.

W. H. Parks said there was nothing improper in having a quorum residing near headquarters. Three of the Directors of the Insane Asylum were obliged by law to live in San Joaquin; three of the State Reform School in Yuba; and so in other instances. It was right and proper; it would be utterly impossible for a resident of Siskiyou to come down here monthly.

Samuel Meyers thought there was good practical sense in the proposition to select four Directors outside of Sacramento; for if the whole nine should happen to be chosen from Sacramento, jealousy would be created; and if all were elected beyond the reach of Sacramento, the interests of the Society would be neglected. It was no more than wise to see, first, whether candidates were outside or inside before proceeding to elect.

The Convention decided to proceed to the election of four Directors outside of Sacramento. The result was: W. H. Parks of Sutter, E. S. Holden of San Joaquin, J. A. Banks of San Francisco, and R. J. Walsh of Colusa—who were duly declared elected as Directors for the ensuing year.

On motion, the President appointed Messrs. W. H. Parks, Wilson Flint, William Shattuck, N. L. Drew, and A. K. Grim a committee to retire and select five candidates from the vicinity of Sacramento.

After a pause of ten minutes, Mr. Parks reported the names of J. C. Davis of Yolo, C. H. Grimm of Sacramento, C. J. Leonard of Sacramento, C. W. Lightner of Sacramento, and N. L. Drew of Sacramento—making four from Sacramento and one from Yolo.

On motion of Mr. Crocker, the report was accepted.

J. A. Duffy nominated, in addition, M. Bryte of Yolo.

H. T. Holmes placed in nomination H. M. Bernard.

The Convention proceeded to ballot, with the following result:

Names.	Votes.
Davis	70
Leonard	48
Lightner	54
Drew	47
Grimm.....	69
Bryte.....	40
Bernard	37

Messrs. Davis, Leonard, Lightner, Drew, and Grimm, having received, each of them, a majority of all the votes cast, were declared elected Directors for the ensuing year*.

The committee appointed to examine the books, vouchers, and accounts of the Secretary and Treasurer—consisting of J. R. Crandall, C. J. Leonard, Wilson Flint, and A. K. Grim—reported that the duty assigned them had been duly performed, and the vouchers, etc., found correct.

Mr. Parks inquired if there was any further business to be attended to before adjourning sine die.

The President said none that he knew of. He suggested, however, that the Directors meet to-morrow (Friday) morning at ten o'clock.

On motion, at six o'clock and fifteen minutes the Convention adjourned.

*The discrepancy between the Directors elected at the annual meeting and those appearing on our first page, has been caused by resignations and filling vacancies by the Board.

OFFICERS FOR 1864.

PRESIDENT.

CHARLES F. REED.....Yolo.

DIRECTORS.

Directors whose terms expire in 1865.

R. J. WALSH.....Colusa.
A. G. RICHARDSON.....Sacramento.
WILLIAM P. COLEMAN.....Sacramento.

Directors whose terms expire in 1866.

C. T. WHEELER.....Sacramento.
JOHN H. CARROLL.....Sacramento.
EDGAR MILLS.....Sacramento.

Directors whose terms expire in 1867.

B. R. CROCKER.....Sacramento.
T. L. CHAMBERLAIN.....Placer.
J. J. OWEN.....Santa Clara.

TREASURER.

E. B. RYAN.....Sacramento.

SECRETARY.

I. N. HOAG.....Yolo.

ELEVENTH ANNUAL MEETING.

SACRAMENTO, January 29th, 1864.

In accordance with previous notice, a meeting of the California State Agricultural Society was held this day, at twelve o'clock M., at the Pavilion, in Sacramento.

A quorum not being present at the hour assigned, on motion, the meeting adjourned to three o'clock P. M.

At the meeting in the afternoon, the Chair was taken by the President of the Society, (Isaac Davis,) who called to order, and remarked that the law regulating the acts and duties of the society required its annual meeting to be held in January. In accordance with that requirement, they had convened on that occasion to transact the usual business.

He would suggest that the reading of the reports of the Board of Directors and of the Financial Secretary would then be in order.

The Secretary then read the following:

REPORT OF THE BOARD OF DIRECTORS.

GENTLEMEN:—When the present Board were elected, on the twelfth of March last, and assumed the duties of their offices, they will in candor confess that the affairs of the society were not in a very satisfactory condition, and its prospects for the future were anything but flattering. The condition of its finances first engaged their attention. The debt of the society, as shown by the Financial Secretary for eighteen hundred and sixty-two, was, on the first mentioned date, twenty-six thousand four hundred and twenty-three dollars and fifty-eight cents. The assets of the society, set down by the same officer, were a little less than ten thousand dollars, but nearly all were found to be of such a character as were required by the society in the prosecution of the objects for which it was created, and hence unavailable for the immediate cancelling of any portion of the debt.

A considerable portion of the society's property had been pledged to secure the payment of money borrowed at a high rate of interest, and the balance of convertible property had been attached and was in the hands of the Sheriff, and its sale postponed only by the intervention of a bond for the security of the debt.

In looking over the whole matter, the Board, acting on the principle

that a desperate case demands a desperate remedy, applied to the Legislature, then in session, for a law authorizing the funding of the entire indebtedness of the society, the issuance of warrants or bonds, and the creation of a fund for the final redemption of the same. The Legislature granted their request, and the creditors came forward, with few exceptions, surrendered their evidences of debt in exchange for warrants at par on the Redemption or General Fund of the Society, bearing interest at ten per cent per annum. Thus the society was placed beyond the reach of immediate trouble, and at the same time was relieved of a ruinous accumulation of interest against it, and was enabled to prepare for and hold its Annual Fair, the financial and general beneficial results of which are set forth in detail in our report to the Governor, which has been ordered printed by the Legislature, and will soon be published for distribution among our own members, and to other kindred societies both in our own and other States, to which we would respectfully refer you for information; and would ask your attention for a few minutes to some suggestions in regard to the management and objects of the society, which observation and experience have taught us are worthy of consideration.

We deem it proper, however, here to remark that the debt of the society has been, under the management of the present Board, reduced over seven thousand dollars, leaving the present indebtedness of the society, including interest to date, nineteen thousand one hundred and eighty-two dollars and seventy-four cents, and there is no incumbrance of any kind on any of its property, and it has a monthly income of one hundred dollars under a contract which has nearly three years yet to run. We are also able to state to you that a plan has been devised, and we have confident hopes of its success, by which the entire debt of the society will be paid during the next twelve months.

The exhibition at the last Annual Fair, though not as full and abundant in some departments as in some former years, yet it proved that the State is making more rapid and substantial progress in the development of wealth and the production of new and useful articles of industry than at any previous time in her history. It is with heartfelt pride and satisfaction, therefore, that we congratulate you upon your steady and uninterrupted advancement and improvement in general—agriculture, mining, manufactures, arts, and commerce.

The premium list offered for our last Fair, we are well aware, was imperfect and defective in many respects, and the premiums offered in many cases were insufficient to induce a lively and healthy competition among exhibitors; but it must be remembered that the present Board did not assume the management of the society and become fully organized until the first of April, some time after the list should have been published, and that then the prospects of a Fair were such as not to warrant a very large list of premiums, lest they should be unable to pay those offered.

We would here suggest the propriety of increasing the premiums for many of the agricultural productions, particularly as to those the successful culture of which in our State is yet unsettled, for the wealth and independence of a State depends more upon the variety of the productions than upon the quantity of any one article, however excellent or valuable that may be.

The list of premiums for manufactured articles may well be extended in number, and increased in value—for however rich a State may be in the production of the raw material, yet when put to the test she will

realize her poverty, unless she is able to manufacture those materials into the various necessary articles of life.

No State ever possessed greater or more available facilities for the support of a prosperous manufacturing community than California. Her mountains are covered with perpetual snow, feeding thousands of rivers and streams, which, as they wind their varied descending courses through the foot hills to the plains, invite the manufacturer to successful enterprise, and point the State to the neglected means of her future greatness.

We would also suggest the propriety and justness of offering suitable premiums for useful and ingenious inventions of every description. The wisdom of a Government is in no other way so surely indicated as in stimulating and encouraging the genius and inventive powers of its citizens. Let the patent of the department be the evidence of an invention and of merit, and require that the article for the invention or improvement of which a premium is claimed, be exhibited at the Fair, and, so far as possible, subjected to the tests of actual experiments. In this manner all the valuable inventions and inventive genius would be collected and associated together, and the opportunity for observation and comparison thus afforded at a single Fair would very likely be followed by results worth millions of dollars to the State in two or three succeeding years. No class of machinery presents so inviting a field for the profitable exercise of inventive genius as that devoted to quartz mining and saving of the precious metals, and no State in the world would be more benefited by improvements in this department than California.

Some means should be adopted to engage a more lively interest and secure a more active support and co-operation of our votaries of the fine arts at our annual exhibitions—the professional artists as well as the amateurs.

Excellence in painting, drawing, sculpture, and music, are indicative of a high state of civilization, and should always accompany and be intermingled with the exhibitions of those generally considered more useful and substantial arts, sciences, and invention. The sudden acquirement of wealth, by persons in this State and the surrounding States and Territories, is creating a demand for rare paintings, beautiful specimens of sculpture, and elegant and costly instruments of music, heretofore unknown in ancient or modern times, or in any other country. Hence, the talents of our artists should be brought out, and their relative merits should be known, and what medium so appropriate or place so convenient as our State institution and its annual exhibition for the accomplishment of this desirable object? We would commend this subject to the careful consideration of our successors while preparing for the coming exhibition.

It has been customary with former Boards of Directors to spend hundreds of dollars in decorating the Hall preparatory to the Fair. In view of this fact, we deem it proper to remark that an equal sum expended in premiums for floral designs and the exhibition of pot plants, to be placed in different parts of the room, would not only make a much more natural and pleasing decoration, but, being a part of the exhibition itself, would at the same time be encouraging our professional florists, cultivating among our people a general taste and love for flowers—thus tending by approbation and example to beautify and adorn our towns and cities, and render inviting every homestead in the land.

Our National Congress, by an Act approved May fifteenth, eighteen hundred and sixty-two, established, as a distinct branch of the Govern-

ment, a "Department of Agriculture," the management of which they placed in the hands of a Commissioner of Agriculture, whose general duties, as defined by the law, are to acquire and diffuse among the people of the United States useful information on subjects connected with agriculture, in the most general and comprehensive sense of that word, to make and record practical and scientific experiments, to collect agricultural statistics, and annually to report his transactions to the President and to Congress. Our own Legislature at its last session, following the worthy example, by law established the "State Board of Agriculture," and made it a part of their duties to use all suitable means to collect and diffuse all classes of information calculated to aid in the development of the agricultural, mineral, mechanical; and manufacturing resources of the State, and report biennially to the Governor an account of its transactions—the facts elicited, statistics collected, and information gained on the subjects for which it exists.

The present Board, through their Secretary, have labored assiduously for the accomplishment of these objects; but experience has taught them that the means at their disposal are inadequate to the demand made upon them, and the law should be so changed as to supply these means. By the present and very imperfect law, the District and County Assessors are required to report annually agricultural, mineral, and manufacturing statistics to the Surveyor-General, and it is made the duty of that officer to lay this information before the Governor. This law was passed long before the organization of this Department, and it is respectfully suggested that now the proper medium for such information is the State Board of Agriculture, and such, we believe, was the *intention* of the Legislature, but, from oversight, they neglected to provide the machinery by which to accomplish the end. The Board are charged by law with the performance of very important duties; then why not place in their hands the means for the successful performance of these duties? The entire want of statistical reports from many counties, and the imperfect and unreliable character of those from many others, as shown by the report of the Surveyor-General, (and we do not attribute any of these deficiencies to that officer,) proves the necessity of a radical change in the law.

Let the Legislature require, by enactment, the District and County Assessors to make, under oath, from actual canvass, and not from guess-work or idle estimation, their agricultural and other statistical reports to this Department, and prohibit the Supervisors of the several counties from auditing or paying the salaries of the Assessors until their duties shall have been carefully and faithfully performed, and the Assessor shall have produced the receipt of the Secretary of this Board to that effect.

Under the operation of a law such as is above indicated, we submit that the State of California would have the credit of establishing a system for the collection and diffusion of important statistical information unequalled by any other State in the Union, and she would then justly deserve the high compliment lately paid her by the Commissioner of Agriculture, when, in his report to Congress, he says: "California exhibits a juster regard for statistical information than any other State." It is also submitted that the adoption of such a system would possess the advantage of supplying the State Government with an annual correct and complete census at a mere nominal extra expense, for the additional time required by the Assessor, while taking the assessment, to perform

these additional duties, would be but very little compared with the advantages gained.

We commend the importance of this subject to the consideration of this Convention; that the result of its deliberations may be laid before the present Legislature.

We feel called upon here to remind the members of the society, and all others interested in the general welfare of the State, that each individual has it in his power to contribute much to the general fund of information, and much to the prosperity of the State, by taking close and careful note of their several experiences, making memoranda of all useful and interesting facts and discoveries, preserving specimens of natural curiosities, and forwarding the same to the Secretary of this Board. As the gold from our innumerable and exhaustless mines, in every conceivable form and degree of fineness, is forwarded to the Mint, there to be assayed, coined, and stamped with a legal value, and then sent forth, in times of quiet and peace, to supply the people with the means with which to prosecute agriculture, to accomplish manufactures, and to cover the high seas with the white sails of their merchant ships—and in times of trouble to furnish the Government with the sinews of war—so this information, these facts and discoveries, concentrated here, compared with each other, tested by science, reduced to system, and stamped with their real value, will go forth, in the former case, to give intelligent direction to agricultural pursuits, scientific skill to manufacturing effort, successful and profitable termination to mercantile voyages, and in the latter case, superior and triumphal success in the application of the sinews of war.

At the beginning of the present year, the Board inaugurated the plan of correspondence, by issuing circulars to individuals in every county in the State, from whom reliable information may be obtained, touching all the subjects for the encouragement of which the society was established, and when any information of general interest is thus obtained, they intend issuing reports of such information. And if individuals will manifest the same interest and liberality in furnishing such information as the press has in furnishing the society with journals and papers, and opening those journals and papers as a medium of communication with the people in every part of the State, we may well anticipate satisfactory results from our efforts in this direction.

One of the greatest difficulties in preparing for and conducting an Annual Fair satisfactorily is found in the selection of competent judges to pass impartially upon the multiplicity of articles exhibited. If there could be any mode devised by which exhibitors might select these judges, the Board would gladly surrender this duty into their hands. It is not so difficult a tax to name men in the State competent and impartial to fill every committee, but the difficulty is in inducing such men to be present at the time and place the duty is to be performed.

To solve these difficulties the following plan is suggested as at least worthy of trial: Suppose each committee to be composed of three persons; let the Board name nine for each, and publish their names and the department in which they are to serve, with the premium list. Let all the persons thus named who meet at the Fair, say on the first day, cast lots to determine who shall serve. This mode will be likely to secure the attendance of the requisite number, and will relieve all parties of the charge of premeditated partiality.

ment, a "Department of Agriculture," the management of which they placed in the hands of a Commissioner of Agriculture, whose general duties, as defined by the law, are to acquire and diffuse among the people of the United States useful information on subjects connected with agriculture, in the most general and comprehensive sense of that word, to make and record practical and scientific experiments, to collect agricultural statistics, and annually to report his transactions to the President and to Congress. Our own Legislature at its last session, following the worthy example, by law established the "State Board of Agriculture," and made it a part of their duties to use all suitable means to collect and diffuse all classes of information calculated to aid in the development of the agricultural, mineral, mechanical; and manufacturing resources of the State, and report biennially to the Governor an account of its transactions—the facts elicited, statistics collected, and information gained on the subjects for which it exists.

The present Board, through their Secretary, have labored assiduously for the accomplishment of these objects; but experience has taught them that the means at their disposal are inadequate to the demand made upon them, and the law should be so changed as to supply these means. By the present and very imperfect law, the District and County Assessors are required to report annually agricultural, mineral, and manufacturing statistics to the Surveyor-General, and it is made the duty of that officer to lay this information before the Governor. This law was passed long before the organization of this Department, and it is respectfully suggested that now the proper medium for such information is the State Board of Agriculture, and such, we believe, was the *intention* of the Legislature, but, from oversight, they neglected to provide the machinery by which to accomplish the end. The Board are charged by law with the performance of very important duties; then why not place in their hands the means for the successful performance of these duties? The entire want of statistical reports from many counties, and the imperfect and unreliable character of those from many others, as shown by the report of the Surveyor-General, (and we do not attribute any of these deficiencies to that officer,) proves the necessity of a radical change in the law.

Let the Legislature require, by enactment, the District and County Assessors to make, under oath, from actual canvass, and not from guess-work or idle estimation, their agricultural and other statistical reports to this Department, and prohibit the Supervisors of the several counties from auditing or paying the salaries of the Assessors until their duties shall have been carefully and faithfully performed, and the Assessor shall have produced the receipt of the Secretary of this Board to that effect.

Under the operation of a law such as is above indicated, we submit that the State of California would have the credit of establishing a system for the collection and diffusion of important statistical information unequalled by any other State in the Union, and she would then justly deserve the high compliment lately paid her by the Commissioner of Agriculture, when, in his report to Congress, he says: "California exhibits a juster regard for statistical information than any other State." It is also submitted that the adoption of such a system would possess the advantage of supplying the State Government with an annual correct and complete census at a mere nominal extra expense, for the additional time required by the Assessor, while taking the assessment, to perform

these additional duties, would be but very little compared with the advantages gained.

We commend the importance of this subject to the consideration of this Convention, that the result of its deliberations may be laid before the present Legislature.

We feel called upon here to remind the members of the society, and all others interested in the general welfare of the State, that each individual has it in his power to contribute much to the general fund of information, and much to the prosperity of the State, by taking close and careful note of their several experiences, making memoranda of all useful and interesting facts and discoveries, preserving specimens of natural curiosities, and forwarding the same to the Secretary of this Board. As the gold from our innumerable and exhaustless mines, in every conceivable form and degree of fineness, is forwarded to the Mint, there to be assayed, coined, and stamped with a legal value, and then sent forth, in times of quiet and peace, to supply the people with the means with which to prosecute agriculture, to accomplish manufactures, and to cover the high seas with the white sails of their merchant ships—and in times of trouble to furnish the Government with the sinews of war—so this information, these facts and discoveries, concentrated here, compared with each other, tested by science, reduced to system, and stamped with their real value, will go forth, in the former case, to give intelligent direction to agricultural pursuits, scientific skill to manufacturing effort, successful and profitable termination to mercantile voyages, and in the latter case, superior and triumphal success in the application of the sinews of war.

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Perhaps an equal or greater difficulty than the above is found in the selfishness of exhibitors. Some persons seem to bring their articles to the Fair with a determination not to be satisfied unless they secure the first premium. Others are like the criminal before the Court, their only fear being that justice will be done them.

Then again, some who are engaged in stock raising and the improvement of the blood of horses are in favor of ignoring all other departments, and converting the Annual Fairs into horse shows exclusively. Others, engaged in manufacturing and mechanical pursuits, declare with equal earnestness that the State Society can never prosper until it puts down what they call horsemania, and gives more prominence to the departments which they represent. Then comes in the agriculturist and the miner, representing each separate branch of those industrial pursuits. Each protesting stoutly against the partiality exercised by the Board, and claims equal justice at the hands of the Society, and threatens an appeal to the Legislature if their demand, as they construe it, is not granted. And so on to the end of the list. Then, again, particular localities become impressed with the idea that the Society is of no account because it does not hold its Fairs at their doors, and straightway set themselves to work to counteract and defeat all its efforts for the accomplishment of good, and try to induce every body else to do the same.

The particular answer to those classes above named is, that it is of as much benefit to the State that the mechanics should be encouraged, that the iron horse may be improved in beauty and strength, as that the Arabian steed should be improved in blood and bottom. And the agricultural and mineral departments should be encouraged and fostered, that both the horses may be well fed and furnished with profitable employment.

But a more general and unanswerable reply to all such complaints is, that the Legislature created and makes annual donations to this department for a grander and nobler purpose than to administer to the special interests of any particular individual, or encourage exclusively or principally any special calling or branch of industry, or to hold its Fairs at any particular place for the benefit exclusively of that locality. The money appropriated by the State for premiums is drawn from every citizen and every branch of industry alike, and the department has not the authority, if it had the inclination, to prefer one class of citizens or one branch of industry to another. He would therefore appeal to all who have the future welfare of the State at heart, to lay aside all this selfishness, to forget all the heart-burnings of the past, and resolve that for the future they will be governed by higher and nobler motives, and put their shoulders to the wheel and shove forward the car of improvement.

There are many other subjects connected with the society we desired to discuss, but space will not allow. We do, however, deem it of great importance that this Convention should, by unanimous action, reduce the price of membership to the society from ten to five dollars. It will increase the number of members, extend the society's sphere of usefulness, and, we believe, put more money in the Treasury.

The General Government having donated to this State, upon certain conditions, one hundred and fifty thousand acres of land for the establishment of an Agricultural College, our Legislature of last winter provided for the sale of the same. There is a proposition before the present Legislature to accept the conditions and notify the General Government of the fact.

There is also a bill introduced for the establishment and management of this College. The matter is one of so much importance that it should be well canvassed and discussed before any definite action should be taken, for the first step in the wrong direction, in a matter of such magnitude, will not very easily be retraced, and the effect of such a step can never be effaced.

It therefore behooves the farmers of this State to look well to the subject, and see that an institution designed for the education of those who are to fill their places should be so organized as to answer well the object designed. There is no hurry in this matter. Let the foundation be laid broad and firm before you proceed to erect the structure, and let the base of that foundation be correct and liberal principle. Then will the effect of that institution outlive the granite of which the outward structure is composed, and be a blessing to those who are to come after us.

All of which is respectfully submitted by the Board.

ISAAC DAVIS, President.

I. N. HOAG, Secretary.

The President said, before taking any action on the report just read, he would suggest that the meeting now listen to the report of the Treasurer and the financial report of the Secretary. These were then read by the Secretary, and may be seen on pages five to fifteen, to January first, eighteen hundred and sixty-four.

In addition to what appears there, he read the following supplemental reports:

CASH ACCOUNT FROM JANUARY 1ST, 1864, TO JANUARY 26TH, 1864.

Cash on hand January 1st, 1864.....		\$71 22
Cash received for pair of goblets.....		50 00
Cash received for renewals.....		15 00
Cash received for diploma frame.....		3 00
CONTRA.		
Cash used to purchase warrants on General Fund	\$71 22	
Cash on hand....	68 50	
	\$139 72	\$139 72

FUNDED DEBT.

Amount indebtedness January 1st, 1864, exclusive of interest	\$19,292 56
Approximate interest to date.....	102 53
	\$19,395 09
Deduct amount of warrants purchased with \$71 22, and surrendered.....	212 35
Present indebtedness	\$19,182 74

William Daniels of Santa Clara moved that a committee of three be appointed by the President to examine the communication of the Board of Directors, also a like committee the reports of the Treasurer and Financial Secretary, and to report to the meeting at seven o'clock that evening.

The motion was adopted, and the President appointed William Daniels of Santa Clara, S. Meyers of San Joaquin, and M. Boulware of Sutter, as the committee upon the report of the Board of Directors; and A. Badlam, Jr., and A. P. Smith of Sacramento, and J. S. Curtis of Yolo, the committee upon the financial reports.

ELECTION OF OFFICERS.

A. Aitken of Sacramento moved that the society proceed to the election of officers.

Carried.

Mr. Boulware suggested that there would undoubtedly be a more full meeting in the evening at seven o'clock, and he moved to reconsider the motion in reference to the election of officers at that time.

The motion prevailed, and a reconsideration of the action of the meeting in this connection was effected.

The Secretary announced that a communication had been received from Judge Daniels of Santa Clara, on the subject of "Mildew," and, on motion, it was read to the meeting, and ordered to be placed on file.

On motion of S. Meyers, the meeting then adjourned to seven o'clock P. M.

EVENING SESSION.

The meeting was called to order at seven o'clock and thirty minutes P. M., by Isaac Davis, the President.

The Secretary read the report of the committee on the general report of the State Board of Agriculture to the annual Convention, recommending that the report be adopted.

The President put the question on receiving and adopting the report; and it was adopted.

Messrs. J. S. Curtis and Alex. Badlam reported that they had examined the financial report of the Board, and having compared the Treasurer's books and vouchers with the Secretary's accounts, found them correct.

Alex. Badlam of Sacramento said they had examined the figures only, without going over the vouchers.

The report was received and adopted.

The President announced that the next business would be the election of a President, and appointed as Tellers J. McClatchy of Sacramento and James Haworth of Yuba.

Marcus D. Boruck of San Francisco nominated as President James Haworth of Yuba.

Samuel Meyers of San Joaquin was also nominated.

M. Boulware of Sutter inquired if the candidates would accept. If so, he had no doubt that Haworth could be elected by acclamation.

James Haworth said he must most respectfully decline, because he

could not attend to the duties of the position, not being a resident of this county.

Samuel Meyers also declined, because it was utterly impossible for him to serve.

Charles F. Reed of Yolo was placed in nomination.

S. Meyers of San Joaquin moved to elect Reed by acclamation. Decided out of order under the by-laws, requiring elections to be by ballot.

N. L. Drew of Sacramento moved that the Secretary be authorized to cast the vote of the society. Ruled out of order for the same reason.

The meeting proceeded to ballot for President, and Charles F. Reed of Yolo was elected, having received all the votes except two for Haworth, one for Badlam, one for Meyers, and one for Davis.

Charles F. Reed was declared duly elected. He returned thanks for the compliment, and Messrs. Haworth and McClatchy were appointed to conduct him to the Chair.

The Convention next proceeded to elect three Directors.

Samuel Myers of San Joaquin nominated J. E. Perley of San Joaquin.

A. Runyon of Sacramento was nominated.

N. L. Drew nominated Judge William Daniels of Santa Clara.

Judge Daniels said he would be glad to have his name withdrawn, as it would be very inconvenient for him to attend to the duties of the position.

Perley declined for similar reasons, and said he was afraid it would clog the youthful energies of the Society to put in an old man like him alongside of the zealous and vigorous younger men.

Daniels nominated L. H. Bascom of Santa Clara, but subsequently withdrew his name.

N. L. Drew of Sacramento nominated J. H. Culver of Sacramento.

M. Boulware nominated Thomas Lee Chamberlain of Placer.

Drew of Sacramento moved to proceed to ballot for one Director.

Boulware of Sutter moved to ballot first for one Director from Sacramento.

Sylvester Tryon of Sacramento was nominated.

The Convention decided to proceed to ballot for all the Directors at once.

Drew of Sacramento nominated J. J. Owen of Santa Clara.

The Convention balloted, and made choice of T. L. Chamberlain of Placer, J. H. Culver of Sacramento, and J. J. Owen of Santa Clara.

M. D. Boruck of San Francisco moved to adjourn till to-morrow morning, on account of a military company (the Sharpshooters) drilling in a remote corner of the hall.

The motion was not seconded; but, on motion of I. N. Hoag, a committee was appointed to wait on the Captain of the company, which committee promptly reported that the company would very cheerfully suspend their drill for the evening.

I. N. Hoag, the Secretary, moved to amend the third article of the Constitution, so as to reduce the cost of membership from ten to five dollars, and asked unanimous consent to adopt the amendment at once, without the necessity of lying over one year, as provided by the by-laws. He was satisfied that this amendment would enable the Society to do more good, and make more money, than if the price remained as now fixed.

M. Boulware of Sutter and N. L. Drew of Sacramento favored the amendment, and it was unanimously adopted.

J. McClatchy of Sacramento offered the following, which was unanimously adopted :

Resolved, That the thanks of this Society are hereby tendered to Isaac Davis, the retiring President, for the active, faithful, and earnest manner in which he performed the onerous duties belonging to his office.

Secretary Hoag said the press of the State was furnishing the society with their papers free, and moved a vote of thanks to the publishers.

Adopted unanimously.

N. L. Drew of Sacramento moved a vote of thanks to Judge Daniels, for his Essay on Mildew.

Adopted unanimously.

Having concluded its business, at half-past eight o'clock the Convention adjourned sine die.

ANNUAL REPORT

OF THE

TREASURER OF STATE AGRICULTURAL SOCIETY,

FOR THE YEAR ENDING JANUARY 1st, 1864.

By total amount received to date.....		\$18,119 86
Disbursements	\$18,048 64	
Cash on hand to balance.....	71 22	
	<hr/>	<hr/>
	\$18,119 86	\$18,119 86

SILVER WARE ACCOUNT.

Total amount Silver Ware on hand January 1st, A. D. 1864	\$874 25
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The above is respectfully submitted.

E. B. RYAN,
Treasurer of State Agricultural Society.

SECRETARY'S ANNUAL REPORT

OF THE FINANCIAL TRANSACTIONS OF THE STATE BOARD OF AGRICULTURE,
FROM APRIL 1st, 1863, TO JANUARY 1st, 1864.

CASH RECEIPTS.

From former Treasurer.....	\$178 00
From County Agricultural Fund.....	144 21
From N. L. Drew and others, (borrowed)....	150 00
For Rent, Cider, Wine, and Bar privileges.....	170 00
For Hat, Barber, and Refreshment Rooms.....	56 00
For Entrance Fees to Races.....	452 00
For Hack Tickets.....	20 00
For Duplicate Diplomas.....	9 00
For Annual Dues, and Ladies' Memberships..	2,420 00
For New Memberships.....	2,030 00
For Single Tickets to Hall, Park, and Fair.....	9,226 27
For Exchange of Premiums.....	55 09
For one copy Encyclopedia Americana.....	30 00
For State Appropriation.....	4,000 00
 Total cash.....	 \$18,940 57

TOTAL DISBURSEMENTS FROM APRIL 1st, 1863, TO JANUARY 1st, 1864.

Date.	Name and Purpose.	Amount.
May.....1	Robinson for Ross.....	\$359 00
	1 C. H. Grimm, expenses on silver ware.....	2 50
June....4	N. L. Drew, money borrowed.....	150 00
	4 Wells, Fargo & Co., for Geo. H. Baker.....	152 50
July ...11	L. N. Hoag, Secretary's salary April, May, and June	456 35
Aug...12	Wilson Flint, salary.....	200 00
	12 Secretary's salary.....	150 00
Sept...24	Disbursements Secretary and Visiting Committee..	476 81

Date.	Name and Purpose.	Amount.
Sept...30	J. L. Eoff, entrance fees returned	\$110 00
Oct.....3	Gas bills at hall.....	238 90
3	Disbursements of Finance Committee.....	40 00
5	W. F. Williamson, Entry Clerk.....	90 00
5	Wm. Bryan, Porter	18 00
5	C. H. Shear, entrance fee returned	30 00
5	B. F. Peckham, Gatekeeper	40 00
5	D. K. Drew, Ticket Seller.....	32 00
5	Wilson Flint, Salary.....	360 80
5	Secretary's salary, August and September	300 00
5	G. W. Ramsdell, Night Watch.....	28 00
5	M. E. Gelston, Assistant Clerk.....	36 00
5	M. T. Crowell, Doorkeeper	40 00
5	H. S. Beals, Usher.....	59 00
5	James Maddox, Ticket Clerk.	35 00
5	Moulthrop, labor.....	19 00
5	John Walker, labor.....	7 50
5	Margaret Cobb, Waiter.....	21 00
5	Henry Yautis, labor.....	21 00
5	Henry Lepp, labor.....	16 50
5	N. B. Kendall, Night Watch.....	32 00
5	M. Wormer, Gatekeeper	36 00
5	Frank Swift, Watchman.....	54 00
5	Justus Hovey, for Galloway.....	33 00
5	Geo. B. Dean, Carpenter	48 00
5	J. T. Roberts, Doorkeeper	24 00
5	J. T. Clark, Entry Clerk.....	42 50
5	Geo. Whitlock, Assistant Superintendent.....	28 00
5	R. Stewart, Doorkeeper	28 00
5	Samuel Deal, Doorkeeper.....	24 00
5	William Allen, Gatekeeper	40 00
6	G. P. Warner, Ticket Clerk.....	40 00
6	James Daniels, clearing hall.....	21 00
6	S. W. Perry, labor.....	8 50
6	C. C. Smith, Carpenter	82 00
6	Charles Gibbs, labor.....	39 00
6	L. Culver, Assistant Superintendent	28 00
6	L. C. Powers, Day Watch.....	42 00
6	H. Grimshaw, labor.....	40 00
6	James Curtis, labor	17 50
6	J. Brown, police.....	8 00
6	Jesse Morrill, Assistant Superintendent.....	28 00
6	Wilbrum, cleaning well.....	5 00
6	G. A. Fabricius, Watch.....	48 00
6	J. V. Hoag, Gatekeeper	86 00
6	James Queen, Ticket Clerk	45 00
6	L. B. Robbins, Doorkeeper	4 00
6	W. L. Hawkins, Ticket Clerk... ..	35 00
8	Justus Hovey, disbursements.....	39 90

Date.	Name and Purpose.	Amount.
Oct.	8 C. Hardenburg, cleaning seats.....	\$45 00
	8 David Herring, Porter.....	4 00
	8 N. L. Drew & Co., lumber, etc.....	496 44
	8 James Lansing, Assistant Superintendent.....	72 00
	8 John Bigler, (assignee Dodge, for wells).....	110 80
	9 F. Woodward, Carpenter.....	123 50
	9 T. J. McKimm, Engineer.....	152 50
	9 L. B. Drew, team work.....	25 00
	9 O. C. Carroll, straw.....	158 45
	9 Wilson Flint, Visiting Committee's expenses.....	64 50
	9 Justus Hovey, Superintendent Park.....	165 90
	9 I. N. Hoag, for California Farmer.....	48 50
	9 J. P. Melchior, music.....	725 00
	9 Locke & Lavenson, merchandise.....	484 00
	9 Wright's order, Entry Clerk.....	36 00
	9 E. H. Astberry, lighting hall.....	15 75
	9 E. B. Ryan, Treasurer.....	250 00
	9 T. B. Hatch, Entry Clerk.....	42 00
	9 James Anthony & Co., printing.....	440 45
	9 J. P. Melchoir's order, Harris.....	25 00
	9 F. Klots, wood.....	45 00
	9 B. Cahoon, use of lumber.....	152 40
	9 Green & Trainer, hay.....	688 29
	9 W. Ratcliff, blacksmithing.....	10 00
	9 M. Devine, draying.....	40 00
	9 John Emerson, cleaning lamps, etc.....	23 00
	9 Fredricks & Krebs, merchandise.....	7 00
	9 B. R. Sweetland, merchandise.....	3 37
	9 W. H. Tobey & Co., advertising.....	47 00
	9 Hammond & Co., merchandise.....	57 00
	9 Phil. Cadue, ice.....	40 00
	9 Huntington & Hopkins, merchandise.....	8 56
	9 D. W. Clark, plumbing.....	100 00
	9 Edwards & Co., stationery.....	76 25
	9 H. S. Crocker, printing.....	437 12
	9 A. Badlam, printing.....	21 00
	9 A. Denney & Co., use of crockery.....	41 13
	9 Treadwell & Co., merchandise.....	22 50
	9 Goodwin & Co., use of chairs.....	50 75
	9 Morrison & Gover, sundries.....	100 00
	9 Milton Morrison, entrance fee returned.....	40 00
	9 Joseph Shaw, watering streets.....	175 00
	10 Godchaux Brothers, merchandise.....	94 81
	10 Ducl, Griffiths & Co., merchandise.....	46 00
	10 San Francisco Bulletin, advertising.....	30 00
	10 James Matsy, on account of fountain.....	5 50
	10 J. Hall, painting.....	3 50
	10 Fuller & Heather, paints.....	66 50
	10 J. Domingos, saw dust.....	3 00
	10 George Rowland, postage.....	3 50
	27 Wilson Flint, salary.....	100 00

Date.	Name and Purpose.	Amount.
Oct....27	William Sheek, police.....	\$12 00
27	Bradley & Chesley, order.....	122 50
27	O. C. Wheeler, salary.....	327 50
27	E. M. Skaggs, livery.....	15 00
Nov.. ...4	I. N. Hoag, salary and cash.....	157 00
4	J. Hovey, Superintendent at Park.....	45 00
5	Samuel Jelly, silver ware.....	462 90
5	Joseph Shaw, watering streets.....	25 00
5	J. Rusan, Assistant Usher.....	6 00
5	James Pollet, sawing wood.....	6 00
5	F. S. Malone, carriage.....	7 50
5	J. W. Wilson, carriage.....	2 50
9	Wilson Flint, salary.....	100 00
9	L. B. Lardner, Reception Committee.....	5 00
9	Morrison & Gover, sundries.....	13 50
30	Wilson Flint, salary.....	50 00
Dec....4	G. R. Warren, disbursements.....	20 00
4	James Pollet, sawing wood.....	3 00
4	Edwards & Co., stationery.....	35 50
4	H. S. Crocker & Co., printing.....	17 00
4	O. C. Wheeler, salary.....	110 00
4	I. N. Hoag, salary for November and December....	300 00
25	California Farmer, papers for premiums.....	18 00
24	P. Caduc, balance on ice.....	20 00
24	H. Wachhorst, spoons.....	10 00
24	H. Wachhorst, napkin rings.....	28 00
30	E. L. Barber, engraving.....	67 37
30	W. C. Nicholson, posting bills.....	5 00
30	G. H. Baker, diplomas.....	57 00
30	Lock & Lavenson, diploma frames.....	337 50
30	George Cadwallader, Counsel.....	25 00
30	B. F. Hastings & Co., engine, books, silver ware, and assignment lease Park.....	2,700 00
30	J. Q. A. Warren, Wine, Wool, and Stock Journal, for premiums.....	24 00
30	California Farmer, for premiums paid in papers....	18 00
30	Disbursements.....	133 00
Total cash expenses other than premiums.....		\$15,754 10

PREMIUMS PAID IN CASH.

Date.	To whom paid.	Amount.
Sept...29	F. O. Townsend.....	\$100 00
Oct.....3	J. A. Merritt.....	300 00
5	J. L. Eoff.....	300 00
5	William J. Williamson.....	100 00
5	S. Card.....	300 00
5	H. R. Hovey.....	170 00
5	V. Barnes.....	50 00
5	C. H. Shear.....	75 00
5	B. E. Harris.....	108 00
5	William B. Campbell.....	200 00
5	J. E. Moulthrop.....	4 00
5	Thomas Bedford.....	80 00
5	Milton Dale.....	98 00
9	T. J. McKimm.....	40 00
10	Aitken & Co.....	34 00
27	Seneca Daniels.....	325 00
28	Charles F. Reed.....	112 00
28	John Hall.....	84 00
30	Miss M. E. Smith.....	7 50
Nov.....3	H. M. Bernard.....	90 00
3	J. C. Davis.....	197 00
4	J. D. Patterson.....	164 00
5	William C. Felch.....	3 00
7	D. DeBomarde.....	5 00
13	Mrs. William Windmiller.....	5 00
14	Willam Allen.....	4 00
14	Miss E. A. Spaulding.....	3 00
21	Mrs. W. A. Hedenberg.....	3 00
21	J. R. Nickerson.....	87 00
21	Miss A. E. Hoag.....	3 00
21	Miss N. Reynolds.....	4 00
21	Mrs. J. W. Willard.....	3 00
30	A. Gaffnesch.....	6 75
30	L. E. Miller.....	3 00
30	George E. Coggsball.....	24 00
30	J. B. Hoyt.....	23 00
Premiums paid in cash.....		\$3,115 25
Current expenses paid in cash.....		15,754 10
Total cash disbursements.....		\$18,869 35
Cash in hands of Treasurer for the redemption of warrants on the General Fund.....		71 22
		\$18,940 57

ACCOUNTS BALANCED BY OFFSETS.

Name and Purpose.		Dr.	Cr.
Edwards & Co.....	To Rent for soda fountain..	\$50 00	
	By deduction from bill		\$50 00
F. Woodward	To one renewal membership	5 00	
	By deduction on bill labor...		5 00
Morrison & Gover...	To lumber used.....	60 00	
	By receipt bill teaming.....		60 00
Lord, Holbrook & Co.	To value silver cup over awarded you for premium	5 38	
	By receipt bill merchandise rendered		5 38
M. T. Crowell.....	To balance rent of bar.....	15 00	
	By deduction bill for labor..		15 00
Lyman Dodge.....	To one renewal membership and lumber.....	9 20	
	By deducting bill for wells..		9 20
O. C. Wheeler.....	To order of Bugby on you..	40 00	
	By acceptance and deduc- tion on bill.....		40 00
B. M. Bugby	To one certificate life mem- bership	40 00	
	By receipt order on Wheeler		40 00
		\$224 58	\$224 58
Bring forward the cash accounts, and we have the entire financial transactions of every description		\$19,165 15	\$19,165 15

ACCOUNT OF SILVER WARE AND BOOKS.

May.....1	Received of C. H. Grimm, silver ware.	\$865 00	
Nov .....5	Received of Samuel Jelly, silver ware.	585 00	
8	Received of Samuel Jelly, silver ware.	552 50	
Dec.....30	Received of B. F. Hastings & Co., sil- ver ware.....	539 25	
	Received of B. F. Hastings & Co., books.....	239 72	
Total.....			\$2,781 47
Paid premiums in silver ware to date..		\$1,667 50	
Paid premiums in books to date.....		112 22	
Sold books to R. T. Brown.....		30 00	
Deduction on books sold.....		15 00	
Silver ware in hands of Treasurer.....		874 25	
Books in hands of Secretary.....		82 50	
Total.....			\$2,781 47

STATEMENT OF WARRANTS

Drawn on the General Fund for Debts due January 1, 1863, under the Funding Act, approved April 13, 1863.

Date.	In whose favor.	Amount.
June ...	3 F. J. Moore.....	\$120 45
	3 Thomas O'Brian.....	35 00
	3 G. H. Swinerton.....	30 50
	3 Phil Cadue.....	63 94
	3 Locke & Lavenson.....	105 43
	3 Huntington & Hopkins.....	20 41
	3 Denney & Bro.....	18 00
	3 W. H. Tobey & Co.....	30 00
	3 James Anthony & Co.....	79 63
	3 William F. Knox.....	85 05
	3 S. B. Leavitt.....	68 25
	3 Friend & Terry.....	129 46
	3 Thomas Ogg Shaw.....	67 50
	3 Martha Cochran.....	112 90
	3 Chase & Boruck.....	30 00
	3 Williams & Calvyn.....	12 00
	3 John Reele.....	35 50
	3 A. Badlam, Sen.....	81 00
	3 H. M. Bernard.....	15 50
	3 E. M. Skaggs.....	20 00
	3 Peter Donahue.....	79 00
	3 A. G. Heafland.....	95 00
	3 H. S. Crocker & Co.....	10 95
	3 J. D. Briggs.....	19 00
	3 L. Lottamanner.....	240 00
	3 Fidler & Heather.....	93 50
	3 Saginaw Gas Company.....	226 75
	3 J. M. Hayward.....	240 00
	3 P. H. Russell.....	15 88
	3 John J. Murphy.....	132 93
	3 H. W. L. Linn.....	1,025 00
	3 L. W. & Son.....	151 92
	3 Wells, Fargo & Co.....	10 50
	3 N. A. H. Wells.....	170 00
	3 T. W. Feltner.....	30 00
	3 L. M.	75 00
	3 M.	20 50
July ...	11 C.	37 33
	11 H. R.	17 55
	11 M.	207 00
	11	25 00
	11 C. C.	798 37
	11 D. W.	65 20
	11	19 75
	11	8 50

Date.	In whose favor.	Amount.
July...11	Paine Brothers.....	\$12 00
11	John Emerson.....	52 00
11	M. R. Rose.....	35 00
11	N. L. Drew & Co.....	1,712 23
11	C. S. Lowell.....	185 92
11	F. S. Malone.....	207 35
11	Owen Cunningham.....	25 00
11	D. W. Earl & Co.....	934 36
11	L. Stanford.....	6 00
11	D. S. Smith.....	44 50
11	Treadwell & Co.....	4 00
11	Harmon & Hartley.....	188 00
11	A. G. Plummer.....	5 63
11	J. G. Clark & Co.....	100 00
11	William Morehead.....	40 00
11	Hammond & Co.....	14 22
11	A. Lamott.....	12 00
11	Charles H. Ross.....	598 40
11	Joseph Shaw.....	28 82
11	N. Greene Curtis.....	3,417 18
11	L. B. Harris.....	4,906 25
11	M. A. Ames.....	62 50
11	John Yule.....	240 00
11	J. D. Tate.....	35 00
11	John Rider.....	163 39
11	B. F. Hastings & Co.....	75 00
	Total funded indebtedness.....	\$18,738 90
	To this add one note held by Charles Crocker, and interest on the same to date, amounting to	554 66
	Entire indebtedness of Society, exclusive of interest	\$19,292 56

Deduct this from twenty-six thousand four hundred and seventy-three dollars and fifty-eight cents—the amount shown by the Financial Secretary's last annual report to have been the indebtedness of the Society on the eleventh day of March, eighteen hundred and sixty-three—and we have the sum of seven thousand one hundred and eighty-one dollars and two cents, which has been cancelled by the present Board since they assumed the management of the society.

And here, perhaps, it may be well to remark, that the above indebtedness has been accumulating through a term of years, partly in consequence of losses by floods, and partly, as we are compelled to believe, in consequence of a system of management based more upon the hopes of future financial successes, than the experiences of the past and the certainties of the present.

But, however accumulated, the sooner it is paid the better it will be for the society and the material interests of the State, for a society thus encumbered, and with a consequent impaired credit, labors under many

embarrassments in attempting the accomplishment of the objects for which it was organized. Every business man's experience teaches this. Therefore, every friend of the society and of the State will say: "Let the debt be paid." But the practical and more difficult question is: How shall it be done? A few thousand dollars placed in the Redemption Fund of the society to be used by the Board, as required by the Funding Act of last winter, would redeem every obligation, and set free the hands of the society to enter upon the much needed work of assisting and encouraging the drooping interests of Agriculture of the State. This is a State institution, and through the channel of this society, when properly conducted, will the people of other States and countries become acquainted with our agricultural capacities, our mineral wealth, and the elements of our material prosperity of every description. Through its exertions and transactions will capital be invited to our shores, and emigration will seek here certain and abundantly remunerative labor. Then it is a State necessity, a demand of political economy, that this society should be prospered and assisted in its present embarrassment. Indeed, it is doubtful whether the State could appropriate the same amount of money in any other direction, or to any other institution within her borders, and meet with so rapid and certain a return, with interest added. Without further comment, we respectfully commend the subject to the favorable consideration of our Legislature.

CONTRIBUTIONS TO THE SOCIETY'S LIBRARY WITHIN THE PAST YEAR.

By W. C. Stratton, State Librarian: Journals and Appendices of the Assembly and Senate of California, for the first, second, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, and thirteenth, sessions; also, the California Statutes for the years eighteen hundred and fifty-four, eighteen hundred and fifty-five, eighteen hundred and fifty-six, eighteen hundred and fifty-seven, eighteen hundred and fifty-eight, and eighteen hundred and fifty-nine. In all forty volumes.

By the late W. H. Weeks, Secretary of State: Statutes of eighteen hundred and sixty-two and eighteen hundred and sixty-three.

The above were to supply the loss of the society by the floods of eighteen hundred and sixty-two, when they lost almost their entire library.

By William H. Barton: The President's Message and diplomatic correspondence of eighteen hundred and sixty-two.

By William R. Staples, Secretary: Transactions of the Rhode Island Society for the Encouragement of Domestic Industry for the year eighteen hundred and sixty-two.

By Hon. A. A. Sargent: Thirteen copies of Patent Office Reports for eighteen hundred and sixty-one.

By Prof. A. D. Bache, Superintendent: Report of the progress of the Coast Survey for the year eighteen hundred and sixty-one.

By J. Forbes Watson, A. M., M. D.: Reports on the products of India—a classified and descriptive catalogue of the Indian Department, twelve volumes.

By the Proprietors and Publishers: The following papers have been forwarded regularly to the society, free, during the year:

The California Farmer;
The Spirit of the Times;
The Red Bluff Beacon;

The Knight's Landing News;
 The Wine, Wool, and Stock Journal;
 The Mining and Scientific Press;
 The Prairie Farmer, (Illinois);
 The Genessee Farmer, (New York);
 The Canadian Agriculturist, (Upper Canada);
 The Journal of the New York State Agricultural Society.

On the seventh of November last the Secretary, with the approval of the Board, mailed the following circular to all the journals and newspapers on this coast. The circular itself will explain its object:

[Circular.]

ROOMS OF THE STATE AGRICULTURAL SOCIETY,
 Sacramento, November 7th, 1863. }

To the Editor and Proprietor of the ————.

GENTLEMEN:—Engaged as you are in publishing a journal in which you record with fidelity the facts and occurrences that are to make up the future history of our country, and particularly that of this coast, none are better prepared to place a correct estimate upon a library which shall embrace in its catalogue all the different newspapers and periodicals on this coast, than yourselves.

Desirous of being instrumental in the initiation of so important an undertaking, and believing that you will gladly second their efforts, the State Board of Agriculture have authorized me to make to you the following proposition, viz: If you will forward by mail to my address as Secretary, each future issue of your journal, the file shall be faithfully and neatly kept, and at the end of each volume the Board will have the same well bound and placed in the Society's Library, for the perusal of all who may desire, and for the benefit of those who shall write and those who shall read the future history of this coast.

The Board have also instructed me to solicit you to act as Agents of the society in collecting and forwarding to the Secretary, by Wells, Fargo & Co., (if requested they will bring them free,) any specimens of minerals or curiosities of any kind that, in your judgment, will add to the value or interest of the society's Cabinet and Museum.

In collecting minerals from the different mines much may be added to the geological value of the collection by saving such specimens as will best show the changes in the indications, from the surface or croppings until the rich mineral is reached. And also, much may be added to the value of the Cabinet by the possession of duplicates, for exchanges with other Cabinets in different parts of the world. And it is a fact that geological specimens from this coast, at the present time, are in greater demand and more sought for, particularly in European countries, than those from any other country; and hence, by a proper effort, very advantageous exchanges can now be made, and we desire to take advantage of these circumstances and secure here a Cabinet unequalled in the world. A book is kept in which the proper credit is given for any specimens or other articles donated to the society, and neat and appropriate cases are being provided for their safe keeping and exhibition.

By giving the above your favorable consideration, and interesting yourselves and readers in the accomplishment of the objects specified, you will place the Board under renewed obligations, and confer a favor on

Your humble servant,

I. N. HOAG, Secretary.

In response to the above, we are now receiving regularly at our rooms the following journals and papers:

Sacramento Daily Union;
 Daily California Express;
 Virginia Evening Bulletin;
 Daily Democratic Press;
 Placerville Daily News;
 California Democrat;
 L'Echo du Pacifique;
 San Francisco Abend Post;
 El Eco del Pacifico;

Alameda County Gazette ;
 Weekly Trinity Journal ;
 Semi-Weekly Independent ;
 Monitor ;
 San José Mercury ;
 Sierra Weekly Union ;
 Weekly Democrat ;
 Quincy Union ;
 Santa Cruz Sentinel ;
 Stars and Stripes ;
 Golden Era ;
 Calaveras Chronicle ;
 San Mateo County Gazette ;
 Sonoma County Journal ;
 Lone Chronicle ;
 Sacramento Daily Bee ;
 American Flag ;
 Amador Dispatch ;
 Mercantile Gazette and Prices Current ;
 La Voz de Mejico ;
 Pacific ;
 California Ledger ;
 Sierra Democrat ;
 Solano Press ;
 Esmeralda Star ;
 Napa County Reporter ;
 Oroville Weekly Union ;
 World's Crisis ;
 Dutch Flat Inquirer ;
 Weekly Colusa Sun ;
 Tuolumne Courier ;
 Marin County Journal ;
 California Christian Advocate ;
 Merced Banner ;
 Semi-Weekly Solano Herald ;
 Pacific Appeal ;
 Western Evangelist ;
 Oregon Democrat ;
 Oregon Statesman ;
 Oregon Weekly Times ;
 Weekly Mountaineer, (Oregon ;)
 Sunday Mercury ;
 Folsom Telegraph ;
 Golden Age, (Idaho Territory.)

A number of other papers come occasionally ; and for the liberality towards the society, and the interest manifested in its success by the press of the coast, the Board return their sincere thanks. They are led to look to the same source, with confidence that they will also receive many valuable contributions to the Cabinet and Museum. Future years will attest the value of a library thus accumulated, to say nothing of the present importance and benefit to the society of such a medium of receiving and disbursing information to every part of the coast.

ADDRESS OF GOVERNOR STANFORD,

AT THE OPENING OF THE TENTH ANNUAL FAIR OF THE STATE AGRICULTURAL SOCIETY, AT SACRAMENTO.

The following is the opening address delivered by the Governor of the State, Leland Stanford, on Saturday evening, September twenty-sixth, eighteen hundred and sixty-three :

Mr. President, Ladies, and Gentlemen :

The State Fair is a great holiday. It is a time of physical relaxation and of general social enjoyment. We may congratulate ourselves that it is so. All public gatherings, affording innocent pleasure and amusement, tend to the virtue and permanent happiness of a people. But the State Fair possesses an importance, independent of its pleasures and amusements. The State, by liberal donations in its aid, has affixed to it her estimation of its beneficent effect upon the commonwealth, and stamping it with high dignity and importance. This noble exhibition of the products of California is not for mere show, nor this pleasant gathering of her people for mere amusement. You are assembled together for a higher purpose—for an object that has real practical value; though, in carrying out the undertaking, it is sought to afford all the gratification possible incident to the great end.

It has become a custom, on occasions like this, that there should be what is called an opening address, and your society has this year assigned to me the honor of delivering it. So much, however, has been said, and so much written, upon the subject of agriculture, that I shall think myself particularly fortunate if I am able to-night to impart to this intelligent assemblage a single idea which will induce reflection upon that interest of our State which has called together this annual gathering of its devotees.

How you are to fertilize your farms, when and how to put in the seed for your crops, how to rear and improve your stock, how to plant your vineyards and orchards, how to perfect the quality of your butter and cheese, how as artisans and mechanics you are to handle the various implements of your calling, it would be presumption for me to indicate. I seek to draw your attention to the importance and the nobleness of your pursuits, in the hope that you may be induced to prosecute them with a

new energy, and with a determination, as far as may be, to master them ; and to awaken for the subject an additional respect, that more gratifying results may, if possible, be obtained.

All labor, in legitimate pursuits, is honorable ; but the status of a profession depends much upon its importance to man's welfare, the amount of ability required for its successful prosecution, and the character of those who follow it. Judged in this connection, and the calling of the farmer attains the very highest standard.

To man's necessities, comfort, and happiness, the tilling of the soil and the yield it may be made to produce, are of the first consequence ; and an intelligent prosecution of his work requires from the agriculturist a familiarity with the causes and effects of his labor, and a knowledge of botany and chemistry, which aids him in the development of his resources and elevates his calling to the dignity of a science. As to the character and standing of those who have tilled the soil, history, both sacred and profane, abounds with the names of many who were renowned and illustrious in public and private life ; and this, too, from the very creation of the world ; for agriculture, while it is the noblest, is the oldest of all the arts.

Whether or not Adam was a tiller of the soil, is a question that may be left to the wide field of uncertainty which surrounds that early period in the history of man ; but that his two sons were farmers, is proved beyond a doubt in the book of Genesis, where Cain is introduced as a " tiller of the ground," and Abel as a " keeper of sheep." At this primitive age, and for centuries thereafter, agriculture and religion went hand in hand. The noblest patriarchs and the most venerated sages testified their belief in the Most High, by erecting altars to His name, and by sacrificing thereon " the firstlings of their flocks." Abraham, Isaac, and Jacob were farmers, owning large tracts of land, " rich in cattle," and fruitful in the products of the field and vine.

The classic authors and orators of Greece and Rome delighted to write and speak upon the subject of agriculture, and labored to instil a love for it into the minds of their readers and hearers. In those ancient times, the highest citizens and the most prominent statesmen—the most successful warriors and the most convincing writers—were cultivators of the soil. Even kings and princes have been known to resign their power to become farmers, while farmers have been called from the field to become kings. The familiar story of Cincinnatus, who had in the days of the old Roman Republic received an embassy from the people while in the very act of plowing in the field, had an illustrious prototype in the example of Elisha, whose mantle of a prophet was urged upon him while working his land with a team of twelve yoke of oxen.

By the law under which Rome was organized, every citizen was entitled to one and one fifth acres of land in his own right. This was subject to mortgage, sale, and bequest, but no man was allowed ever to accumulate more than three hundred acres, either by purchase or otherwise. In those days large farms were not regarded as a *sine qua non* to happiness and success. In fact, it was remarked by an orator of that time that " he was not to be accounted a good citizen, but rather a dangerous man to the State, who could not content himself with seven acres of land."

Cato urges it, " as a grand point of husbandry, not to have too much land in one farm, there being more profit in holding little and tilling it well." And Virgil, whose noble poems on rural life are read in every college, says " the farmer may praise large estates, but let him cultivate

a small one." Thus it will be seen that though in these modern days of machinery, and our consequent ability to cultivate more land, our farmers may take the hint, and whether they cultivate small or large farms, be careful to cultivate them well, lest they risk their reputations as good citizens, and live under the imputation of being dangerous to the State.

Among many of the great of modern times who have devoted themselves to farming, and whose names from their familiarity it is unnecessary to mention, in support of this branch of the subject, it would not be well to pass that of him who was "first in peace" as in war. Few, probably, ever possessed so keen a love for rural pursuits, and a more unyielding pride in the profession of a farmer, than George Washington. Always an early riser, he was enabled to see that the day's work was properly begun, and careful to exact the utmost accuracy and fidelity from those he employed to manage his various farms. Before the war, his name was known in London as the most reliable planter in Virginia, and the produce of his plantation would command a better price than those of any other in the Colonies. In the West India ports "the products of his estate also became so noted for the faithfulness as to quality and quantity with which they were put up, that it is said any barrel of flour that bore the brand of George Washington was exempted from the customary inspection."

In a letter to a friend, Washington relates in a few simple words his experience of a farmer's life. "I think with you," he says, "that the life of a husbandman of all others is the most delightful. It is honorable, it is amusing, and with judicious management it is profitable." Such was the opinion, and we have seen what was the practice, of the Father of his Country. If it be true, then, that the dignity of a calling depends upon the character of those who pursue it, the status of an agriculturalist has been fixed and ennobled from the remotest ages to the present time.

The history of ancient agriculture, imperfect as it is, shows that it reached its culminating point as an art during the palmiest days of Greek and Roman rule. With the darkness that enshrouded the world upon the destruction of the Roman Empire, the farming interests of the day partook of the general gloom; and the impetus given to agriculture by the intelligent cultivation that prevailed at the beginning of the Christian era was mostly lost during the middle ages. For hundreds of years the inhabitants of Europe were taught the science of war, to the almost entire exclusion of the arts of peace. The raising of stock, mostly of an inferior kind, was about all the farming that was carried on during these dark ages.

In England, as late as the sixteenth century, the science of farming was not understood; as an *art* it was in its rudest state. But a small variety of grains were cultivated, and even the names of some of the simplest vegetables were unknown. The inhabitants, rich as well as poor, lived mostly upon animal food, and that of the coarsest kind. At an important feast it was customary to add poultry, game, and fish to the usual variety of mutton, bacon, and beef. Vegetables are seldom mentioned by the writers of those days, except as accompaniments to their rarest entertainments.

Of one of the wives of Henry VIII, it is related that she was obliged to depend upon Holland for a supply of lettuce for her table, and the King himself had never seen corn or potatoes, carrots, cabbages, or turnips. In our time, these vegetables, esteemed in those days as luxuries

by the rich, are but necessities to the poor. About the time of our Revolutionary War, Arthur Young, a practical agriculturist in England, made it his business to travel about the country to consult with farmers and examine farms. His efforts to awaken an interest in the pursuit he loved were eminently successful, and one of the great results of his endeavors was to set the farming world a thinking, and to induce a thorough investigation of the properties of soils, and of the best mode of improving them. From this time the advance in agriculture has been immense, one of its chief aids having been the perfection to which agricultural machinery has been brought.

What giant strides have been made in the management of the farm, and in the invention of machinery for the saving of labor, since the time when the sickle was only used to cut, and the flail to thresh the grain! Within the last thirty years more has been accomplished in the great work of supplying the constantly increasing population of the world with the cereal products of the soil than had been done during the nearly six thousand years which preceded them. Some one has said that he who causes two blades of grass to grow where one grew before is a public benefactor. Can we not say, then, that McCormick, and Manny, and Pitt, and those other inventors of agricultural machinery who have added so much to the yield of breadstuffs in our country, are true benefactors of the human race? Are there any still left who doubt the policy of this wholesale introduction of labor saving machinery to the wants of the farm, lest manual labor shall become a drug? To such, I would say, be not alarmed; add what you will to the individual or general wealth of a country, and you only develop a demand for labor at remunerative wages. Man's desires increase in proportion, a compound one, to his ability for gratifying them. There has never been a period in the history of mankind so fruitful in all the productions of the earth as the one in which we live, and no period when the laboring man has reaped richer benefits as the reward of his toil. In our country there is a constant and enormous increase in the products of the soil, and a corresponding increase in the demand for labor.

In illustration, the increase in the wheat crop in the United States from eighteen hundred and fifty to eighteen hundred and sixty was over seventy millions of bushels, while the increase of corn was more than two hundred and thirty millions of bushels. The increase in the value of farming implements during the same period was in the neighborhood of one hundred millions of dollars. The value of live stock has increased in the same time five hundred millions. With these data, it is safe to estimate that the increased value of farm productions alone in all the States and Territories, between eighteen hundred and sixty and eighteen hundred and seventy, would more than pay the entire cost to the North of the present rebellion. The increase in the value of farms between eighteen hundred and fifty and eighteen hundred and sixty, in the two agricultural States of Illinois and Indiana, was about five hundred and fifty millions of dollars, while in the whole United States the increase was considerably more than three thousand millions.

With the rate of taxation *enjoyed* during the last year or more by the people of Sacramento applied to the States of Indiana and Illinois for the next five years, these two farming States, by themselves, would pay taxes sufficient to wipe out the whole National debt, after a bitter war of two and a half years.

From these facts, we can see how, with our free institutions of the North, the triumphs of peace go hand in hand with the victories of war.

While a portion of our country is shaken with the conflict of contending armies, the farmers of the West are ploughing up their boundless prairies, and each year preparing for a harvest that is to feed millions of their countrymen, and other millions of other lands. They send their products to the nearest cities, that grow rich and magnificent by the transit of this illimitable wealth. Railroads are built, towns and cities spring into life, the mechanic arts are employed in full force, and commerce, year by year, feels the inspiring effect. In fact, the growth of cities, fostered by the agricultural wealth that surrounds them, is a remarkable feature in the civilization of the nineteenth century.

The rise and progress of the City of San Francisco, built up as she has been by the power of gold, and presided over by the genius of commerce, has wrung from the civilized world its wonder and amazement. But enormous as her prosperity has been, and astonishing as her enterprise has become, she has more than a parallel in Chicago, a sister city of a farming State, whose growth has been nurtured by the genius of agriculture, and whose towering warehouses are monuments dedicated to Ceres, goddess of harvest. In eighteen hundred and thirty-three, the Town of Chicago was organized and an election held, when twenty-eight votes were all that could be found within the limits of the place. In eighteen hundred and sixty, twenty-seven years later, she could boast a population of one hundred and nine thousand two hundred and sixty. In eighteen hundred and fifty-seven, when but twenty-four years of age, she was acknowledged as the largest grain depot in the world, having received into her warehouses that year something like twenty-two millions of bushels of grain, being twice as much as was received during the same period at St. Petersburg, the leading grain depot of the Russian Empire. In that season, there was packed in Chicago forty-two thousand barrels of beef, and shipped from her wharves twenty-five thousand head of cattle, and more than two hundred thousand head of hogs. There are now completed some four thousand miles of railroads that centre there, upon which more than one hundred trains of passenger and freight cars arrive and depart daily. Her grain warehouses, by their wondrous capacity, and by the powerful machinery used to facilitate their operations, are visited as objects of curiosity by travellers from every part of the world. Such are the triumphs produced—such is the power wielded by a thorough, systematic, and aggregated pursuit of this one branch of industry.

The census report of eighteen hundred and sixty presents an unusual amount of valuable information relative to the condition of agriculture in California. According to the statistics presented there, the increase in the value of live stock in our State, from eighteen hundred and fifty to eighteen hundred and sixty, was over thirty-three millions of dollars; the increase in the value of farms, about forty-three millions; in the value of farming implements, more than two millions; and in farm productions other than live stock, something like fifteen millions. These figures exhibit a glowing, gratifying condition of the agricultural interest of California. If such results have been obtained during a period of ten years in our State, what may we not expect during the lifetime of many a farmer now cultivating our soil?

With a territory extending north and south a distance equal to the distance from the southern boundary of New York to nearly the northern boundary of Florida, California has within her limits a variety of soil and a variety of climate which will yield all the productions that are grown in the Atlantic States. Already the first State in the Union

in the production of barley, the second, if not the first, in the production of wine, the sixth in the production of wheat, may we not confidently expect that in the census of eighteen hundred and seventy she may take a front rank as the producer of other important staples of the farm?

The law of April twenty-fifth, eighteen hundred and sixty-two, for the encouragement of agriculture and manufactures in California, is calculated to awaken a deep interest in those branches of industry which have accomplished so much in building up and maintaining the wealth of some of our sister States. This law, which appropriates one hundred and fourteen thousand four hundred dollars in premiums of various amounts for the development of our agricultural and mechanical resources, should be examined by every farmer in the land. Premiums to the amount of fifteen thousand five hundred dollars are offered in different sums for the production of cotton plantations and the growth of cotton; seven thousand two hundred dollars for hemp and flax; three thousand seven hundred dollars for molasses and sugar; three thousand six hundred dollars for tobacco; four thousand seven hundred dollars for rice; two thousand two hundred dollars for hops; twelve thousand dollars for tea and coffee, besides large sums for manufactured articles.

This bill is in all respects a practical one, and it would be a benefit to California if her Treasurer was called upon this year to pay every dollar of premiums recognized by its provisions. It was thought by some that the premiums were too numerous and too high; but in my opinion they should rather be increased than decreased. For instance, in proportion to our population, the State of California will have, in five years, more orchard productions than any other State or country in the world, and it will be a question with the farmer what to do with them. I would therefore suggest a liberal premium for the first hundred barrels of dried apples, and the first hundred half-barrels of dried peaches or plums, so packed as to keep through a California season. I would also suggest a premium for the first hundred firkins of butter, and the first two hundred barrels of beef and pork, put up in a manner that would stand the test of our own or any foreign climate. At the same time it would not be amiss to offer liberal premiums for raisins, figs, nuts of all kinds, and choice wines, to take the place of foreign varieties. To stop the importation of these articles would be adding vastly to the resources of the State; and when the gold that goes abroad to pay for them is kept at home, we shall have money for internal improvements, and shall not be obliged to follow our shipments of treasure into foreign climes, in order to beg it back again at an enormous interest, for the purpose of building our much needed railroads.

That the provisions of the Act may be freely understood, and that our farmers may be apprised of the fact that the Legislature of California is disposed to do all it can to foster and promote their interests, it would not be out of place for the agricultural papers of the farming districts to copy it entire for the benefit of their readers. Its provisions should also be known in the farming communities on the Atlantic side, that their attention may be directed, not to our resources alone, but to the means taken, by a liberal policy, to develop them.

Possessing, as we do, a State having a soil and climate capable of growing the products of every other State in the Union, we are in a position to invite emigration from every portion of our country, and to add to our invitation the assurance that whoever comes to us may indulge in the congenial pursuits that obtain in their native districts.

It is undoubtedly true that thousands, and perhaps hundreds of thousands, daily look from their homes in the far East toward the setting sun, while they earnestly labor to hoard the means to bring themselves and their families to this favored land. They think of the wide barrier of mountain and desert that lies between them and the fertile fields on the Pacific slope, and many is the heart that sinks with despair in view of the (to them) small fortune that is required to transport themselves and their household treasures to this alluring State. If they propose to themselves a journey over the plains, they think of the time lost, and the dangers that attend the dull, fatiguing, and monstrous trip.

Looking at the statistics of emigration to some of the strictly agricultural States during the ten years that preceded the census of eighteen hundred and sixty, that are comparatively easy of access—States that commenced their onward career almost simultaneously with our own—we have cause for astonishment, as we study their ratio of emigration, to find how greatly they are in excess of California. The increase in the population of Iowa, during the decade just mentioned, was, according to last census, four hundred and eighty-two thousand six hundred and ninety-nine. The increase in Wisconsin was four hundred and seventy thousand three hundred and ninety—while the increase in California was but two hundred and eighty-seven thousand four hundred and ninety-seven. Now, of this increase in our own State, it is probable that at least two thirds were attracted thither, not as farmers to cultivate the soil, but as representatives of other interests, who came to this coast to profit by the mineral wealth, of which fabulous stories have been spread far and wide. This would leave less than one hundred thousand persons that could be considered as strictly among the farming immigration to California during the ten years between eighteen hundred and fifty and eighteen hundred and sixty. In that time Iowa and Wisconsin each received nearly five times as many persons to add to their agricultural population.

To remedy this state of affairs, and to divert this vast moving population, which will increase, year by year, to our own shores, two things are necessary to be accomplished:

First—To spread out before the farming communities of other States authentic information, in the shape of reliable statistics, as to the productions of our soil, and the noble field that is here offered for the industrious and energetic farmer.

Second—To provide all who desire to emigrate, a safe, expeditious, and easy means of accomplishing their purpose.

Of the varied interests of California, none will reap richer benefits from a railroad across the continent than those depending upon the pursuit of agriculture. By it the attention of the world will be attracted to our State; its population will be augmented; new fields of industry will be explored, and new markets opened for the products of our soil. Indeed, with the construction of the Pacific Railroad—its inducements for immigration—the vast commercial relations it must establish—the great bay cities which, as one of its results, will in twenty-five years have a population of a million inhabitants—all these will create for the farmers of our State a market that will be almost illimitable in extent. It is well for agriculturists to consider the mighty future of the Pacific slope, and the consequent influence upon their *own* future so closely connected with it.

Surely there is much that the farmer is blest with in California. With

markets that will constantly increase, a soil that is generous, and a climate for farming purposes unsurpassed, he finds himself engaged in an occupation which, independent of its pecuniary results, is one of never-failing delight. Every vine, and shrub, and tree planted by his hands at once becomes an object of interest, and forms an association which attaches him to the soil and makes him a patriot. If he turns his attention to the raising of stock, he finds there, also, something beyond the mere calculations of gain. He experiences a pleasure in watching the growth and improvement of his animals, and in noting their good qualities; and the daily interest he takes in their well-being begets on their part an affectionate attachment, which of itself is a lasting reward.

Agriculture to the active intellect is fruitful in subjects of thought and contemplation, and when intelligently pursued the whole being is enriched by the vast field of knowledge it unfolds. It is an occupation that elevates the mind to a genial communion with surrounding nature; it is closely connected with the material wants of the whole human family; it develops, adorns, and beautifies the earth; it produces a healthy, thrifty, and virtuous population; and, more than any other known to man, adds to the pride, prosperity, and strength of a State. That it is intimately connected with the education and intelligence of a country, is clearly proved in the history of our country, as well as the history of the world. With us it is well known that those States where the education of the masses is most cared for, there the science of agriculture reaches its highest perfection; while the inhabitants of those States where ignorance and misery reign supreme are contented to live year after year in a condition closely allied to barbarism.

Viewed in this connection, the subject upon which we treat to-night is one which commends itself to every thoughtful citizen and to every well wisher of the land in which we live; and had I time I should be glad to make some suggestions that would lead to a discussion throughout our State as to the most feasible means of connecting the science and practice of agriculture with our Common Schools. The question, however, is one of vast importance—too vast to be enlarged upon at the close of a general address.

I have already exceeded the limits set apart by myself for the task which your kind invitation made it necessary for me to perform. To keep pace with the gigantic strides made year by year in the science of agriculture, and to publish the results of each year's experience, would involve the necessity of vast columns of statistics. I have avoided, as far as might be, the monotony of details, and have attempted to show, in as brief a manner as possible, the pleasure, the dignity, and the profit that attends the cultivation of the soil.

The Scriptures have given prominence to the subject through the writings of Moses and the experience of the prophets; the ancient classic authors have given it their meed of praise; historians have dwelt upon its importance; and poets, from time immemorial, have invested it with a charm peculiarly its own—

“Happy the man whose wish and care,
A few paternal acres bound;
Content to breathe his native air,
On his own ground.

“Whose herds with milk, whose fields with bread,
Whose flocks supply him with attire;
Whose trees in summer yield him shade,
In winter, fire.

"Blest, who can unconcern'dly find,
Hours, days, and years glide soft away ;
In health of body, peace of mind,
Quiet by day.

"Sound sleep by night ; study and ease
Together mixed ; sweet recreation
And innocence, which most doth please,
With meditation."

AN ACT

FOR THE ENCOURAGEMENT OF AGRICULTURE AND MANUFACTURES IN
CALIFORNIA.

[Approved April 25, 1863.]

The People of the State of California, represented in Senate and Assembly, do enact as follows :

SECTION 1. There shall be paid, from any money in the Treasury not otherwise appropriated, to the producer claiming a premium by virtue of the provisions of this Act, the following sums for each of the articles herein enumerated, grown and manufactured in California :

For the first one hundred bags of sugar, containing one hundred pounds each, produced from sorghum, five hundred dollars. For the same quantity produced the next succeeding year, two hundred and fifty dollars. For the same quantity produced the second succeeding year, one hundred and fifty dollars. For the same quantity produced the third succeeding year, one hundred dollars.

For the same quantity of sugar produced from sugar cane, the same premiums, and upon the same conditions, shall be paid ; and also for the same quantity produced from beet root, the same premium, upon the same conditions.

For the first two hundred barrels molasses, manufactured from sorghum, two hundred dollars. For the first two hundred barrels molasses, manufactured from sugar cane, five hundred dollars.

For the first two hundred bales of flax, of two hundred pounds each, one thousand dollars. For the same quantity produced in the first, second, and third succeeding years, three hundred dollars, two hundred dollars, and one hundred dollars, respectively. For the first one thousand bales of flax, of two hundred pounds each, two thousand dollars.

For the production of hemp, the same premiums as are awarded on flax.

For the first one hundred bales of cotton, of three hundred pounds each, three thousand dollars. For the same quantity produced in the first, second, and third succeeding years, two thousand, one thousand, and five hundred dollars, respectively.

For the first two hundred bales of tobacco, one hundred pounds each, three hundred dollars. For the same quantity produced the first, second, and third succeeding years, two hundred and fifty dollars, two hundred dollars, and one hundred and fifty dollars, respectively. For the first

one thousand bales, of one hundred pounds each, one thousand dollars. For the first one hundred cases, of fifty pounds each, of manufactured tobacco, two hundred and fifty dollars. For the same quantity in the first, second, and third succeeding years, two hundred dollars, one hundred and fifty dollars, and one hundred dollars, respectively. For the first one thousand cases of manufactured tobacco, of fifty pounds each, one thousand dollars.

For the first one thousand bales of hops, of two hundred pounds each, one thousand dollars. For the same quantity, produced in the first, second, and third succeeding years, six hundred dollars, four hundred dollars, and two hundred dollars, respectively.

For the first ten bales of raw silk, of one hundred pounds each, two thousand dollars. For the first one hundred bales of raw silk, of one hundred pounds each, five thousand dollars.

For the first one thousand pieces of cotton drilling, of forty yards each, two thousand dollars. For the first one thousand bales of cotton drilling, of sixteen hundred yards each, four thousand dollars.

For the first one thousand pieces of burlap, of forty yards each, suitable for grain sacks, two thousand dollars. For the first one thousand bales of the same quality and description, of sixteen hundred yards each, three thousand dollars. For the first one thousand pieces of burlap, of forty yards each, suitable for wool sacks, two thousand dollars. For the first one thousand bales, of sixteen hundred yards each, of same quality and description, two thousand dollars.

For the first one hundred pieces of hemp carpeting, colored, of forty yards each, two hundred dollars. For the first thousand pieces, of forty yards each, one thousand dollars.

For the first one hundred pieces of linen, of forty yards each, suitable for shirts or miners' frocks, one thousand dollars. For the first one thousand pieces of same description, one thousand dollars.

For the first one hundred pieces of calico, of thirty yards each, five hundred dollars. For the first one thousand pieces of calico, of thirty yards each, one thousand dollars.

For the first one hundred pieces of cotton shirting, of forty yards each, one thousand dollars. For the first one thousand pieces of cotton shirting, of forty yards each, one thousand dollars.

For the first hundred pieces of cotton sheeting, of forty yards each, one thousand dollars. For the first one thousand pieces of cotton sheeting, of forty yards each, one thousand dollars.

For the first one thousand pieces, of forty yards each, of pilot cloths, broad cloths, tweeds, or cassimeres, exported from the State, on each specification, two thousand dollars. On the first, second, and third succeeding shipment, of the same quantity, fifteen hundred dollars, one thousand dollars, and five hundred dollars, respectively, on each specification.

For the first one hundred bales of blankets, of forty pairs each, exported from the State, one thousand dollars. For the first one thousand bales of blankets, of forty pairs each, exported from the State, two thousand dollars.

For the first one hundred pieces of ingrain carpet, of sixty yards each, two hundred dollars. For the first thousand pieces of ingrain carpet, of sixty yards each, one thousand dollars. For the first one hundred pieces of Brussels carpet, of sixty yards each, two hundred dollars. For the first one thousand pieces of Brussels carpet, of sixty yards each, one thousand dollars.

For the first one thousand pairs of wool socks, two hundred and fifty dollars. For the first one thousand dozen wool socks, five hundred dollars.

For the first one thousand pairs woollen drawers, three hundred dollars. For the first one thousand dozen pairs of woollen drawers, five hundred dollars.

For the first one thousand woollen undershirts, three hundred dollars. For the first one thousand dozen woollen undershirts, five hundred dollars.

For the first twenty-five bales cottonized flax, of one hundred pounds each, one thousand dollars. For the first one thousand bales of cottonized flax, of one hundred pounds each, one thousand dollars.

For the first one hundred cases of men's boots, of twelve pairs each, five hundred dollars. For the first one thousand cases of men's boots, of twelve pairs each, one thousand dollars.

For the first one hundred cases men's shoes, of twenty-four pairs each, five hundred dollars. For the first one thousand cases men's shoes, of twenty-four pairs each, one thousand dollars.

For the first one hundred cases women's shoes, of thirty-six pairs each, five hundred dollars. For the first one thousand cases of women's shoes, of thirty-six pairs each, one thousand dollars.

For the first one hundred cases children's shoes, of forty-eight pairs each, two hundred and fifty dollars. For the first three hundred cases children's shoes, of forty-eight pairs each, five hundred dollars.

For the first ten chests of tea, of twenty-five pounds each, one thousand dollars. For the first one hundred chests of tea, of fifty pounds each, two thousand dollars. And for the same quantity of the same article produced the first, second, and third succeeding years, fifteen hundred dollars, one thousand dollars, and five hundred dollars, respectively.

For the production of coffee, the same premium shall be awarded as on the production of tea.

For the first one hundred coils of assorted cordage, of sizes not less than one inch, and length not less than sixty fathoms, two hundred and fifty dollars. For the same tarred, five hundred dollars.

For the first ten barrels of tar, two hundred dollars. For the first one hundred barrels of tar, five hundred dollars.

For the first ten barrels of rosin, one hundred and fifty dollars. For the first one hundred barrels of rosin, three hundred dollars.

For the first ten barrels of pitch, one hundred and fifty dollars. For the first one hundred barrels of pitch, three hundred dollars.

For the first one hundred gallons of spirits of turpentine, two hundred and fifty dollars. For the first one thousand gallons of spirits of turpentine, five hundred dollars.

For the first one hundred reams of printing paper, manufactured from cotton, five hundred dollars. Manufactured from any other fibre or material, the same premium; and for the first one thousand reams of each manufactured, one thousand dollars.

For the first book, of not less than three hundred pages, on the mining and industrial resources of California, printed on California paper, stitched with California thread, and bound in California skins and boards, five hundred dollars. For the second, of the same character and description, two hundred and fifty dollars. For the third, one hundred and fifty dollars.

For one thousand dozen of glass wine bottles, fifteen hundred dollars.

For the first one thousand cases of bottled beer, of two dozen each, exported, and proved to withstand sea voyages and changes of climate, fifteen hundred dollars. And for the first, second, and third succeeding shipment, one thousand dollars, seven hundred dollars, and five hundred dollars, respectively.

For the first one hundred packages of linseed oil, of twenty gallons each, one thousand dollars.

For the first one hundred packages of cotton seed oil, of twenty gallons each, one thousand dollars.

For the first plantation of cotton, of not less than ten acres, in bearing of good staple, one thousand dollars. For the first fifty acres of cotton in bearing of good staple, two thousand dollars. For the first one hundred acres of cotton, in bearing of good staple, three thousand dollars. For the first plantation of tree cotton, of not less than ten acres, in bearing of good staple, three thousand dollars.

For the first ten cases of indigo, of one hundred pounds each, one thousand dollars.

For the first one thousand pounds of rice, two hundred and fifty dollars; for the first five thousand pounds of rice, five hundred dollars; for the first ten thousand pounds of rice, one thousand dollars; and for the same quantity produced the first, second, and third succeeding years, the same premium shall be paid.

SEC. 2. The President of the State Agricultural Society; the President of the Agricultural, Horticultural, and Mechanical Society of the Northern District; the President of the San Joaquin Valley Agricultural Society; the President of the Mechanical Institute in San Francisco, and the Governor of the State, who shall be President of the Board, shall constitute a Board of Judges, a majority of whom shall constitute a quorum for the transaction of all business, whose duty it shall be to examine and judge of the products herein mentioned, and award the premiums named to the parties entitled to them, according to the provisions of this Act.

SEC. 3. No person exhibiting any article or articles named in this Act shall be entitled to a premium therefor unless the articles so exhibited be good and merchantable, and the best of the kind so exhibited. And no article produced or manufactured within any one year shall be exhibited for premium herein offered more than once, and such exhibition shall be accompanied by a statement, in detail, of the culture or manufacture, and cost, together with satisfactory proof that the article or articles exhibited have not been before exhibited for any such premium, and that the same was produced or raised, and manufactured, within the State of California.

SEC. 4. The Judges shall fix upon the time and place of such exhibition of articles for premiums, but samples of all articles exhibited, or intended to be exhibited, within any given year, shall be exhibited by sample at the annual Fair of each of the societies named in this Act, within such year, or within the next succeeding year, and may receive such premiums from such societies as they may deem proper to offer, in accordance with the rules of such society.

SEC. 5. Upon the award of a premium to any person, the Judges shall certify the same to the Controller of State; and upon the presentation of such certificate to the Controller, he shall draw his warrant for the amount named therein, upon the State Treasurer, according to law.

AN ACT SUPPLEMENTAL TO AN ACT ENTITLED AN ACT FOR THE ENCOURAGEMENT OF AGRICULTURE AND MANUFACTURES IN CALIFORNIA.

[Approved April 27, 1863.]

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Any person producing or manufacturing any one of the articles or things named in the Act to which this Act is supplemental, in one fourth or one half the quantity named therein, and exhibiting the same in like manner and form, as specified in said Act, shall be entitled to one fourth or one half the premium (as the case may be) offered in said Act for the production or manufacture of said article or thing, to be awarded by the Board of Judges therein named, and in accordance with the provisions of said Act; *provided*, however, that no person shall receive a premium, under this Act, for any article or thing, in any given year, when a premium has been claimed and awarded for the same kind of article or thing in the same year under the Act to which this Act is supplemental, and claims for premiums under said Act shall not be prejudiced by claims under this.

SEC. 2. This Act shall be in effect from and after its passage.

STATE BOUNTY LAW.

Among the many Acts of comprehensive sagacity put on the statute book by the Legislature of our State, none is calculated to have a more beneficial effect in aiding the development of the various sources of wealth lying dormant throughout the length and breadth of the land, than the preceding law, which offers munificent bounties for the production of a great number of the articles most prominent in the wants of civilized life.

In looking over the list of articles comprised under the head of raw materials, it is seen that the law contemplates the production within the State of every valuable fibre raised upon the four quarters of the globe, as well as the growing of the three greatest luxury staples of everyday life—coffee, tea, and sugar.

The Legislature did not stop here. It also, in its unparalleled liberality, not only offered princely sums of money for the production of crude material, but it proposes such a largess of bounty to the skilful artisan and manufacturer as should insure the manipulation of this raw material, when grown, into the various implements, fabrics, and uses for which it is adapted. It is a cause for congratulation to the people of California, that under the stimulus afforded by the prospect of obtaining the large premiums offered, a number of articles largely in demand have been successfully produced, and their future supply rendered a matter of absolute certainty. That the production of some of the articles for which State premiums have been given this year were stimulated, if not directly induced, by the rewards offered, there is the most conclusive evidence to believe; and it is hoped that the law as it is may remain untouched by future Legislatures, except by adding to the present long list of articles for which premiums are offered many things overlooked at the time of its enactment.

Among new articles of manufacture which can be carried on to a greater magnitude in this State than in any other country, may be mentioned copper. Throughout the length of California, covering a distance of several hundred miles, with a width nearly equal to the average breadth of the State, there are being opened thousands of ledges of copper, many of which have already proved of extraordinary richness. At present, all the ores taken out are, by necessity, sent abroad to be

smelted, after a voyage consuming many months, and at heavy cost in freight. The establishment of smelting works, with machinery to manufacture the copper into sheathing metal, and other kinds of material suited to every kind of the mechanical arts, would give an impetus and value to our copper interests, which would add vastly to the productive wealth of the State. The Legislature may wisely offer a premium of ten or twenty thousand dollars for the production of a given quantity of sheathing copper, wire, bell metal, plate and bar copper, manufactured within the State from ores obtained in California, Oregon, or any of the adjacent Territories.

Again, was the production of bar or railroad iron encouraged by the offer of a munificent premium, it would not be long before our rich and exhaustless iron mines would save millions of dollars to the State.

Even were it made an object, by an offer of State bounty, the manufacture of lead pipe from the newly discovered exhaustless beds of galena found in California, should in no long time stop the importation of articles in the plumbers' line, which now are a vast item in our imports.

As one of the results of this law, there was exhibited for the first time at our Fairs, rosin, tar, and rectified spirits of turpentine, produced within the State. This branch of productive industry, springing suddenly into importance by the circumstance that the heretofore largest producing locality has become the theatre of devastating war, is obtaining such encouragement as to promise its successful continuance against any possible future competition. The number of pine trees now available for producing rosin along the foot hill districts of the Sierra Nevada Mountains is already sufficiently large to make this business one of great importance; and when the millions of young trees, springing up in dense thickets all along these slopes, shall in a few years be sufficiently large for tapping, there will be added to the present field of operations so large a supply, that the exportation of rosin and turpentine may become one of our large exports. National and State legislation is required to protect these young and invaluable forests from the wanton and inconsiderate vandalism of our present migratory population, as well as to prevent the unnecessary destruction of the trees from which the gum is now gathered by a reckless system of tapping. The value of this source of supply of a necessary article to a commercial marine, will be fully appreciated when the commerce of the Pacific, centering toward California, shall surpass in magnitude that of any other on the great highway of nations.

Favorable as is our climate to the most perfect development of animal and vegetable organism, it is no less favorable for the prosecution of those pursuits which claim the attention and means of our citizens in the development of our mines, fisheries, and transposing our magnificent forests of timber into every conceivable form which can render them useful to man. This favorableness of climate particularly applies to the extracting of pitch from the pine, the season here for this purpose extending through eight months of the year.

Hops, for which a large premium is offered, have already attained an extensive culture in the State, and although no one grower has produced the large amount of two hundred and fifty bales required to entitle him to the prize, yet there are those who pick from fifty to sixty bales in a season; and doubtless this lucrative branch of agriculture will very soon be entered into by individuals on so large a scale that this premium will be secured.

Of tobacco, it may well be said that no country of equal population is so large a consumer, nor its inhabitants more exacting in the selection of the choicest varieties, than are the people of California. Hence, a country which, after one or two seasons of experiment, has succeeded so well in the raising of unparalleled numbers of pounds to the space planted, will have no after difficulty in bringing the quality to the highest standard of excellence. In this article on the schedule of State bounty, there were several competitors for the awards of the State Board of Judges.

A ropewalk on an extensive scale has been in successful operation for several years in San Francisco, and as this gives a certain market for hemp, the day is not far distant when premiums for the latter will be claimed, as the extensive alluvial lands of the great interior valleys are well adapted to the growth of this valuable fibre.

Ales brewed and bottled in the State, suitable for shipment on any voyage at sea, have long been an article of extensive production in California; and there is every reason to hope that, with our unrivalled crops of barley and hops, all countries within the scope of the Pacific Ocean may before long get their supplies of ales and beers from our State.

Of cotton culture, but little can be said of an encouraging nature. The State offers of premiums for this fibre, however, have had the effect of instituting a great deal of newspaper discussion, and awakened attention to it to such an extent that numbers of enterprising citizens have made large experiments, with the hope of success.

Samples of silk cocoons, of "very superior excellence," to quote the report of the Silk Society of Paris, after they had examined samples sent to them from California for their opinion, have been repeatedly exhibited at our Fairs by an amateur silk grower of San José, Mons. L. Provost. Some time will elapse before the premiums on silk will be called for, solely because it will take time to grow the mulberry trees in sufficient quantity to feed the requisite number of worms to produce the cocoons. It may be stated, however, that one party has already in plantation three thousand trees, and proposes to very greatly extend it, so sanguine is he that silk culture is destined to become a lucrative branch of business in California.

Some of the premiums for the manufacture of boots and shoes were claimed this season, and as the tanning of leather has attained to great importance throughout the State, the time ought to be near at hand when the entire demand for boots and shoes should be met by home manufacture.

A portion of the premiums for printing paper were obtained by the Pioneer California Paper Mill. The premiums yet remaining open for competition for printing paper, to be made from other fibre or material than cotton, are inducing costly experiment with various substances to meet this demand.

The premium for the first one thousand dozen of glass wine bottles has already been claimed, and it is but justice to the enterprising projectors of the Pacific Glass Company to state that their works were not erected merely for experimental purposes. Their investments involved in the construction of buildings and appendages the outlay of nearly one hundred thousand dollars, and it is a gratification to be able to report that the owners are being generously repaid for their risks in this new undertaking.

The exhibit of woollen goods, in accordance with the terms of the State Bounty Law, was, perhaps, without disparagement to any other

branch of productive industry, the great feature of the State Fair; and under the encouragement of the munificent premiums already obtained, those yet remaining untaken in this line will be a powerful stimulant for the manufacturers to come with their unequalled fabrics to the next Fair, so as to carry off the prizes yet standing on the statute book as evidences of the liberality and wisdom of the law making power of our wonderful State.

ENTRY OF ARTICLES UNDER THE STATE BOUNTY LAW.

A. R. Jackson & W. S. Johnson, Sacramento County :

Ten acres of cotton, in bearing of good staple.

Hiram Tubbs, San Francisco :

Thirteen coils assorted rope, as samples of one hundred coils.

James Kile, San Joaquin County :

One bale of one hundred pounds of tobacco, sample of crop of eighteen hundred and sixty-three.

John Hart, Marysville :

Sample of rosin and spirits of turpentine.

Isaac Chase, Sacramento :

Samples of tar made in eighteen hundred and sixty-three.

J. W. Jacobson, Marysville :

Samples of rosin.

Thomas Edwards, Sacramento :

Samples of leaf and manufactured tobacco.

John Mason, San Francisco :

Samples of ale and porter.

Hucks & Lambert :

Samples of pitch.

E. & C. Gruhler, Sacramento :

Samples of beer.

J. C. Gibson, Forbestown :

Samples of rosin and spirits of turpentine.

Isaac Bird, San José :

Samples of leaf tobacco.

R. Gabriel :

Samples of manufactured tobacco.

Cook & Simonds, Marysville :

Samples of leaf tobacco.

J. S. Curtis, Yolo County :

Samples of leaf tobacco.

J. Dareburspeck, Empire City :

Samples of leaf tobacco.

John Taylor, Agent Pacific Glass Company, San Francisco :

Samples of two thousand dozen glass wine bottles.

Also, samples of carboys, jars, soda bottles, and assorted glass ware.

S. P. Taylor, Agent Pioneer Paper Mill, San Francisco :

Samples of one hundred reams of printing paper, made from cotton.

Also, samples of one thousand reams of printing paper, made from cotton.

Also, samples of a large variety of wrapping paper.

Nash & Fogg, Stockton :

Samples of boots and shoes.

Lazard Freres, Agents Mission Woollen Mills, San Francisco :

Seven varieties of flannel.

Five varieties of cloth.

Fourteen varieties of blankets.

Woollen drawers.

Woollen undershirts.

PREMIUMS AWARDED UNDER THE STATE BOUNTY LAW.

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To Nash & Fogg, Stockton :	
For men's shoes.....	\$125 00
For men's boots	125 00
To Pioneer Paper Mills, San Francisco :	
For first 1,000 reams printing paper, manufactured from cotton.....	1,000 00
For first 100 reams printing paper, manufactured from cotton.....	500 00
To Pacific Glass Company, San Francisco :	
For 1,000 dozen wine bottles.....	1,500 00
To Jackson & Johnson, Sacramento County :	
For first ten acres of cotton..	1,000 00
To J. W. Jacobsen, Marysville :	
For first 1,000 gallons spirits of turpentine.....	500 00
For first 100 barrels rosin.....	300 00
For first 10 barrels rosin..	150 00
To Thomas Edwards, Sacramento County :	
For first 100 bales tobacco.....	300 00
To Isaac Chase, Sacramento :	
For first 2½ barrels tar	50 00
To Mission Woollen Mills, San Francisco :	
For first 100 bales blankets, 40 pairs each, exported.....	1,000 00
For first 1000 pieces woollen cloth, exported.....	1,000 00
For first 250 pairs woollen drawers, exported.....	75 00
For first 250 pairs woollen undershirts, exported	75 00
Total premiums.....	\$7,700 00
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ANNUAL ADDRESS OF T. STARR KING.

You will not expect me, in this crowded hall, and in circumstances so unfavorable for quiet and deliberate attention, to offer you, even if I were competent, a lengthy or elaborate discussion of any question connected with agriculture. It would be wise if the arrangements of our Annual Fairs were such that an hour or two could be devoted, in a room apart from the attractions and excitement of the exhibition, to an analysis of the statistics of our production, or a thorough treatment, *by* farmers and *for* them, of some very important and prominent theory of interest connected with their calling. As it is, we come together rather to see and show what the State is doing, than to ask or learn what it *can* or *ought* to do. Governor Stanford, in his admirable address of Saturday night, has uttered enough wisdom connected with agriculture for one anniversary.

This is our "Feast of Tabernacles," our jubilee at the close of harvest, I trust not unconnected with gratitude for the infinite bounty from which the harvest flows. The call upon us for such gratitude is more impressive than to the early colonists of Palestine. Most of us have not been obliged to cross the wilderness to reach our Promised Land. Nor have we been compelled to fight for our possession. We have been floated to it on a peaceful sea, and the gate was cloven for our entrance, and noble rivers fed by everlasting snow—"whose foam is amber, and their gravel gold"—invited us to easy dominion of the interior plains.

Suppose we were called to name on all the globe, to-day, the community of four hundred thousand persons most favorably placed, so far as domain and prosperity and prospects are concerned. Let a man turn the globe with compasses in his hand, and hold them suspended, and deliberate as long as he may. I defy him to fix the point at any other place than Sacramento—right here at Agricultural Hall—so that the sweep shall include the four hundred thousand souls within the jurisdiction of this society. What other portion of the earth held by one organization of less than half a million will compare in privilege, resources, and hopes with the portion of this young, beloved Benjamin of American States, whose autumn-sack is now stuffed with grain, while the mouth of it contains a cup of gold? A line on the Atlantic coast, representing the length of our State, would run from Boston below Chesapeake Bay, below Cape Hatteras, below the batteries of Gilmore on Cummings Point, to the harbor of Port Royal. And nearly the whole

of the area with this vast water front is one symmetrical domain, by reason of the mountains that uprear their five hundred miles of jagged whiteness in its background; the rivers that flow from the northward and the southward, fed from those snowy springs, to unite in the centre of the State; and the Bay that receives their volume, rivalling in its conformation the Bay of Naples. Where else has the Almighty delivered to half a million of people such a line of eternal snow looking down upon such opulent plains? Where else such a fellowship of temperate and tropic climates? Where else such rainless summers, which turn droughts into harvests? Where else gold in the rocks, and, bending over the mills that crush them, peaches that mock the apples of gold in the Garden of the Hesperides? Where else such sweeps of wheat, such armies of noble cattle on a thousand hills, such bloom of vineyards; and beneath all, such variety of mineral wealth, which only centuries to come can tap and drain? Where else has the Almighty connected such social blessings with material good—freedom, intelligence, schools, multiplying churches, and loyalty—deliberate-principled, unconditional, invincible loyalty to the Government, and the policy, the freest, the noblest, the worthiest beneath the sun?

I do not say this, gentlemen, in boasting. It is only the honest generalization of the map of California, and of the facts which your exhibition presents to our eyes this week. In privilege of position, and in regard to resources and the future, the State of California, in the American Republic, is the most favored spot which this globe turns to the sun.

And it is not the spirit of boasting which the facts, properly appreciated, will awaken. This soil and these treasures are a trust. They are offered to us as the condition of stable wealth and a rich civilization. But they do not pledge and guarantee that wealth and civilization. Our mineral treasures, if we export them to pay for imported necessities and luxuries of existence, will give fortune to the brokers that manage the transfer, but will not enrich the State. Civilization will shrivel around the very sources of gold. And if we hoard the gold itself, it will not enrich us. Our prosperity and progress will depend on the variety of industrial interests developed in the State, so that a large percentage of our bullion shall be kept in motion here, and the soil retain its present fertility and bounty.

Do you ask now how the fertility of the soil is or can be affected by variety of industry in a State? It is of the last necessity that every prominent agriculturist and every man of influence in the policy of a rising State should see the connection, and act upon it, in order to befriend civilization.

Nothing is so remarkable, perhaps, in the advance of knowledge within this century, as the new light thrown upon the farmer's duty and office. All labor has risen in dignity and value; but the science of the last fifty years has raised the culture of the soil into the most noble of the arts to which man can devote himself—the one requiring the most varied knowledge, and the one which is most difficult to keep, year in and year out, at a very high level of success. To plant a grain of wheat, and see it bring forth thirty or sixty fold, seems a very simple thing. How, in such a business as that, is there room for a high display of intelligence? How can any body say that the planting of a wheat field, and the reaping of it, is a high and difficult art? But begin to study the relations of one wheat blade to the forces and laws of nature, and see

what a track you are on, and what begins to open before you. It will be impossible for you to master it without winding into the central mysteries of chemistry, without comprehending the most intricate balances of meteorology, fathoming the splendid and complicate marvels of light; without understanding the beneficence of the changes of seasons, and the dependence of the earth on the despotic benignity of the sun. Modern chemistry has made every grain field the scene of bewitching and orderly miracle. And when the farmer begins to study the relations of all other seeds to their products—to follow the processes by which a squash-germ so speedily prepares and feeds its mighty globes, and the acorn develops into its slowly compacted sturdiness, and the bitter peach stone, with its poison, builds the twigs that nourish such nectar, and the little flake shaken out from the small pine cone in Calaveras becomes competent to rear its column thirty feet at the base and three hundred feet in the air—the moment he begins to study the variety in the vitality of seeds, a magic is opened to him more powerful, more subtle, more delicate, more entrancing, than the story in the Arabian Nights of the giant that rose in mist and took solid shape out of the little earthen jar. The “Grizzly Giant” of Mariposa is mostly built of water. Its thews are compacted out of exhalations. It is steam transmuted into hundreds of tons of timber, defying for two thousand years the force of gravitation—steam, knotted into substance older than the English Empire, by the persuasion of a filmy seed and the delicate fingers of light.

Something of these processes, something of this poetry, every farmer must know who would be master of his calling. He must know what are the relations of soil, and air, and moisture, to the growth of his products; what food the soil itself furnishes to each vegetable, each fruit tree, each vine, each species of grain; what are the habits, and the needs, and the exposures to disease of each berry, root, or leaf, from which he expects his profit; and what elements must be returned to the land to compensate the waste of its bounty, and thus secure his capital intact.

It is in relation to this last point that the deeper science, and the nobler dignity, and the immense responsibility of agriculture, rise into notice. The wheat field, studied in one season, supplies vast knowledge and entrancing poetry. To keep the wheat field productive for thirty years in succession, requires very careful study of the land, intimate knowledge of the relations of its mineral composition to the structure of the wheat stalk and seed, and an economy that is wise from root to crown. Ordinary labor the most faithful, the most temperate, the most devoted, with the most elaborate implements of tillage and reaping which modern skill has devised, cannot keep a grain farm whose crops are exported productive at a high level for a generation. There must be knowledge, accurate and thoroughly digested knowledge, to superintend the most conscientious labor, knowledge which accepts and treats the farm as a trust.

The Creator who gave the globe to Adam, with the command to dress it and keep it, has connected economy with its fertility. Economy lies at the base of high and permanent civilization. Where a river rises every year, overflows its banks, and renews the elements which the land has expended into crops, men are absolved from the duty and the need of caring for the soil. God takes the capital into his own keeping, and notifies man that he will prevent its waste. But where this is not done, men are notified, just as plainly, that they must repair the capital and preserve it at a point where the returns will be generous and perpetual.

The interests of the human race repose on agriculture, and agriculture reposes on this law. To fulfil it requires immense knowledge, and a reverent and persistent thrift. The farmer that understands it and acts upon it, stands at the head of all workers on the planet.

We know very well that decay in the productiveness of the soil through false methods of tillage, wrought the ruin of some of the immense empires of antiquity; and the best students of agriculture as a science are warning the world that there is scarcely a nation in Christendom now that can show a proper balance sheet at the end of each generation, drawn from the great ledger of its land. Some students say, that as a system, the general tillage of Europe is a process of slow but sure exhaustion. Either care is not taken to enrich the land, or, through lack of science, the proper elements are not returned in the enriching material.

How is it in America? God has given us a fresh and fertile continent. We boast of its opulence. That, however, is a gift to us. Can we boast of our relation to its opulence? One of our counts in the great indictment against slavery is, that it sucks the juices out of the soil, that it blasts the landscape, that it finds a garden and leaves behind it a nettle bed. We point to the farms of Eastern Virginia, of North Carolina, of Western Tennessee, whose bounty has shrivelled, for our proof and illustration. And it is true. Barbarism in the tillage leaves barbarism on the face of nature. Slavery, except on river bottoms, quickly "skins the land." But can we boast much of what American agriculture in the free States has accomplished as yet? The statistics of Chicago and Buffalo are astonishing; the export bills of lading of the last two years are peculiarly refreshing when we place them in connection with our war. But what is the relation of our garnering to our capital? What are McCormick's reapers, and the patent threshers, and the tireless muscles of the steam plough leaving behind them, year after year, in the immense area they sweep? The average fertility of New York State in wheat has fallen fifty per cent since the first wheat crop was gathered. Ohio has been steadily falling behind in the amount she can produce to the acre; and tens of thousands move off from Indiana and Illinois, still further west, in order to enjoy the bounties which they had seen decrease around them, of a strong and unwrought soil.

By a rate slower than that of the upper tier of slave States, and yet by a rate that may be measured, the great grain districts of our country are drawing from the treasury of nature without repayment. When a mining company pays dividends out of its capital, and not out of its earnings, the press rings with denunciations of the swindle. And righteously. And we must soon come to consider the peril, if we will not now stop to consider the honesty, of discounting our capital into our immense harvests. If you give an Indian in Australia a cottage furnished, he will call some Indians of his tribe to the cottage grounds, sleep outside the roof, bring out the furniture, piece by piece, and burn it for evening fires, then burn the house down, and wander off in the hope that another cottage may soon be given to him. Agriculture that wastes capital is an improvement on this method of enjoying property only according to the difference of *rate* in the destruction of its trust. Instead of using nature, it uses it up.

The waste of the most careful civilized nations in relation to their agriculture is astonishing. England stands at the head of European States in her care and success in the tillage of her soil. But think of the sewerage of London! Where does it go? Into the Thames. The sickness which a few years ago was generated from that river, and the

pictures in "Punch" of the spirits that rose from its bed, indicate something of the woe and horror of this folly. There is productive power enough in it, if conducted to the land, to feed all the poor of London. Have you read in one of the volumes of "Les Miserables," Victor Hugo's description of the sewer of Paris, and his reflections on it? He tells his countrymen that all that filth is gold, and that they sweep it into the abyss. We fit out convoys of ships at great expense to gather up at the South pole the droppings of petrels and penguins, and the incalculable element of wealth which we have under our own hand we send to the sea. All the human and animal manure which the world loses, restored to the land, instead of being thrown into the water, would suffice to nourish the world. These heaps of garbage at the corners of the stone blocks, these tumbrils of mire jolting through the streets at night, these horrid scavengers' carts, these fetid streams of subterranean slime which the pavement hides from you, do you not know what all this is? It is the flowering meadow; it is the green grass; it is marjoram, and thyme, and sage; it is game; it is cattle; it is the satisfied low of huge oxen at evening; it is perfumed hay; it is golden corn; it is bread on your table; it is warm blood in your veins; it is health, it is joy, it is life. Thus wills that mysterious creation which is transformation upon earth, and transformation in heaven.

The English are now fighting Japan. Some of our citizens are eager, I find, that there shall be a regular, open, legitimate rupture between the Tycoon and the English Government, in which our Republic shall not get involved. They want to see Japan recognized by our Cabinet as a belligerent. And then, with the help of a score or two of privateers, built in American ship yards for our dusky neighbors in the Pacific, they want to see America *strictly neutral* in the contest. If England breaks into Japan and conquers it, there is one thing in which the half-civilized Mongolians can defy their civilized foe to instruct them—the great art of keeping the soil fertile steadily for centuries. Japan is about as large as England and Ireland combined. So much of its area is hilly that hardly more than half is fit for tillage. Great Britain imports food from other countries to the extent of many millions annually. But Japan supports a larger population than England and Ireland. She exports grain now to foreign countries. She maintains the richness of her soil, and has kept it at a high and even rate of productiveness through centuries that stretch back beyond the decay of Greece, beyond the birth of Rome, to the days of Solomon—possibly to the age of Moses. She has done it by careful obedience to the laws of restoration which God has written in the soil. She treats the soil as a factory. Wanting cloth from it, she gives the woof out of which the cloth is woven. She finds that nature will toil for man forever, if man will give her the elements for her miracles. She reverently offers to the wand of Providence the filth of cities, that it may be transmuted into flowers and bread. The civilized world is now waiting for some method by which the sewerage of its great capitals and towns can be deodorized and concentrated into solid form, in order that agriculture may advance another stage, and give promise of a perpetual permanence of "seed to the sower and bread to the eater"—that is, give an unyielding basis to civilization.

California will prove no exception to the general law of nature which enforces economy toward the soil. Our land is rich, but its richness is a limited quantity, and after a few years will show the symptoms of too severe a draft upon its generosity. The Creator does not increase its fatness by the yearly silt of overflow. He gives it to us as a trust, and

if we do not try to pass it over to our children with but little reduction of its vitality, we are simply squandering our capital in our great harvests now, and mortgaging also the patrimony of posterity.

And in order to keep the soil rich, we need varied industry in our State. Very distant markets for grain, and beef, and wool, though the prices may enrich the farmers and merchants of the first twenty years, will inevitably impoverish the bank which pays out its guineas in the disguise of corn and cattle. The far distant market allows no return of food to the hungry globe. To keep up the agricultural opulence of a State, there must be active home markets—markets demanding a large variety of farm produce—centres of cunning industry, from the waste and leavings of whose consumption the return of needed material may be quickly made to the fields. The only safe foreign market, in the long run, is that which takes from a State the natural excess of its production after the main interests and activities of civilized industry are supplied on its own soil. And no foreign market is safe if there is not rigid economy of all the native sewerage, and, beyond that, an import of some concentrated manure to renew to the ground the organic elements exported from the farms.

Here is the reason why agriculture cannot be wise and perfect without a just organization of society. A savage tribe on the wealthiest land will wring out only a squalid subsistence. Some wisdom in tillage is necessary to start civilization; and then proper diversity of industry and activity of movement in civilization itself are essential, that there may be a quick absorption of a large percentage of natural products, and a sure return of prolific elements to the strained bounty of the fields.

The difficulty we meet in keeping agriculture at a high and affluent level is an index of its dignity. The Creator shows us thus that it is the crowning triumph of human genius and of social organization, as well as the foundation interest of man. Be proud of your office and position, farmers of California! Accept your duty with a sense of its wide relations and its nobleness. God makes no perfect apple. He makes the possibility of it, whispers the dream of it into some ambitious farmer's mind, and lends him the forces of Omnipotence to shape and fill it. He produces no short-horned Durham, no high-blood racers, no exquisite Suffolk pigling, no Merino sheep. He rears the coarser blood and bones, the framework of these admirable victories in flesh and sinew, and tempts the farmer on to conjure them into reality and thus adorn the world. He spreads no prairies that will glow with golden wheat forever, but through science shows the farmer how to renew the wasting treasury of the soil, that he may learn to build up society in learning how to rejuvenate his land.

Keep in view this co-operation of your calling with the thought and art of Omniscience, the crowning glory of the farmer's work. Study to understand more and more, every year, of the principles that lie at the base of your business. Be sure that you subscribe for the agricultural journals of the State you live in. The only way to be sure, that I can suggest, is to look carefully, when you know that you are wide awake, at the receipted bill. Buy such books as that most suggestive and able volume, lately printed in America, and on sale in California, "The Natural Laws of Husbandry," by the German Professor, Liebig. It is worth a good deal more than its weight in gold to every large farmer—so that you will make a very handsome sum in buying it. It will pay better than average "feet." Study carefully the published statistics of the dis-

strict societies and the State central organization, and labor to keep up their usefulness and efficiency. Take pride in the eminence and success of the representatives of your calling. A great artist paints a landscape of a few feet square, and raises the character of a whole community by his genius. Haraszthy turns a township into a beautiful landscape, and the honor and fame of it travel beyond the Alps, and further than the eastern bounds of the Mediterranean. And what shall I say of him whose murder was a stab at the interests of California, from Mount Shasta to San Diego, the full-brained, nimble-thoughted, large-hearted Osborne, the farmer-philosopher and poet? A man like him is worth more to California than an Ophir mine, for it is especially true in agriculture that "the price of wisdom is above rubies." We pronounce his eulogy, and that of the science he had so nearly mastered, in saying that there is hardly another man in California whom we could not have more readily spared. And strive to learn the lesson which he was never weary in enforcing—that the industry of the State must be broadened and diversified for the sake of farmers and the future. The State has offered noble premiums for hemp, flax, tobacco, sorghum sugar, tea, raw silk, paper, rosin, wine bottles, rice, and cotton. When shall we see them earned? No hundred thousand dollars can be so wisely spent as those which shall show that all the premiums for agricultural and manufactured products, offered by the last Legislature, are won. Those dollars will not be spent, but planted, to spring up a hundred fold. Heaven hasten the day when the warrant shall be drawn on the Treasury for every cent of that noble bounty! Hemp we shall soon need soon, I hope—American hemp—for American consumption in *high* places. The queenly flax we need to dethrone King Cotton, and give us a clean-linen civilization. Silk from our own looms we pray for, to make us more independent of foreign mills. Native sugar we want to sweeten the cup of our immense national prosperity that is near at hand. Good wine of our own vintage shall be poured into the goblets that will pledge the restored old flag in all the infected districts of rebellion. Cotton from free labor we long to see floating into the markets of Europe, as the sign and guarantee of an America homogeneous in its polity henceforth and forever. And then we shall be ready to select some good California tobacco, and offer, under the Stars and Stripes, to smoke the pipe of peace with all the world.

LIST OF ENTRIES AT THE FAIR OF 1863.

HORSE DEPARTMENT.

Nathan Coombs, Napa County :

- "Ashland," stallion, over four years old.
- "Montezuma," stallion, over three years old.
- "Fanny Brier," mare, over three years old.
- "Tarantula," mare, over one year old.
- "Davy Crockett," stallion, over four years old.

J. A. Price, Yolo County :

- "Lizzie Dale," mare, over four years old.

V. Barnes, Yolo County :

- "Sea Breeze," colt, over one year old.
- "Didapper," stallion.

J. B. Redman, Marin County :

- "Fairy Queen," mare, over four years old.
- "Life Boat," mare, over four years old.
- "Knight St. Patrick," colt.
- "Mainstay," over four years old.

Schlostines, Sacramento :

- Two colts, over one year old.

C. F. Reed, Yolo County :

- "Black Eagle," over four years old.
- "Norma," mare.
- "Empress," mare.
- "Anianda Wallace," mare.
- "Sallie Miller," over one year old.
- "Lizzie Curtis," over four years old.

G. G. Clark, Sacramento :

- "Doctor Clark," over one year old.
- "Fanny," mare.

Samuel Dodd, Placer County :

- "Young Walter," stallion, over three years old.

S. Dunbar, Sacramento :

"Cub," gelding, over eight years old.

M. Sprague, Sacramento :

"Abe Lincoln," over three years old.

L. D. Manor, Yolo County :

"Tom Corwin," over five years old.

A. F. Smith, Sacramento :

"Sailor Boy," over three years old.

"Young Lancet," over one year old.

"Young Lightfoot," over one year old.

"Prince Albert," over two years old.

"Charlie," gelding.

"Flora."

William Osburn, Placer County :

"Young Diamond," over nine years old.

William H. Prentiss, Sacramento :

"Lady Nelson," over two years old.

"Frank Nelson," over one year old.

Joseph Bauquier, Sacramento :

"Missouri Chief."

"Consternation," stallion.

"Dolly" and colt.

"Kate."

J. A. Burke, Sacramento :

"Grog," over six years old.

J. D. Osborn, Sacramento :

"Peacock," stallion, over three years old.

D. E. Knight, Yuba County :

"Bill McCracken."

James Haworth, Yuba County :

"Lady Dillon," over three years old.

C. H. Shear, San Francisco :

"Captain Hanford," over five years old.

"Flora McDonald," over four years old.

"Alicia Mandeville," over three years old.

"David C. Broderick," over three years old.

Charles St. Louis :

"Tom and Jim Duroc."

H. Wilson, Sonoma County :

"Young America," stallion.

E. R. Perrin, Sacramento :

"John Nelson, Jr.," yearling.

M. Lowell, Sacramento :

"John Nelson," stallion.

D. H. Trinder, Yolo County :

“ Kate Simmons.”

“ Ann Richards,” over three years old.

“ Fanny Cheatham,” over two years old.

Edward St. Louis, Yolo County :

“ Red Bird,” over two years old.

“ Fanny” and colt.

Charles Kidder, Sacramento :

“ Young Butler,” over four years old.

B. E. Harris, Sacramento :

“ Jack Clifford.”

“ Lady Hobbs.”

“ Bill and Jake.”

“ Toney Oaks.”

Matched Carriage.

“ Dandy.”

A. W. Dunnigan, Yolo County :

“ Tom Thumb.”

“ Stranger,” over four years old.

John Kelly, San Francisco :

“ Fanny Lent.”

Labousier, Yolo County :

“ Rosalie.”

“ Katy Hawkins.”

William M. Allen, Solano County :

“ Young Chrysopolis,” over three years old.

“ Battalion,” over four years old.

William Ledgerwood, Solano County :

“ Puss Goldfinder,” over five years old.

“ Pat Cheatham,” over three years old.

D. B. Sutton, Yolo County :

“ Robert Dale Owen,” over four years old.

Benjamin Tibbits, Sacramento :

“ Eclipse,” over one year old.

J. G. McCracken, Sacramento :

“ David Hill.”

“ Lancet,” over four years old.

“ Fanny.”

B. Caloon, Sacramento :

“ Garibaldi.”

Colt, over two years old.

“ Fanny Maria Kimble,” over two years old.

“ Gilmore,” over one year old.

A. G. Leatchman, El Dorado County :

“ Lexington,” over six years old.

J. M. Hubbard, Sacramento :

"Dusty Bill."

John Arnold, Sacramento :

"Belle of Sacramento."

"Peerless Queen."

R. S. Cary, Yolo County :

"Young Gilbert."

C. H. Burger, Sonoma County :

"Pilot Boy," over three years old.

F. O. Townsend, Napa County :

"Leopold," over three years old.

C. W. Fairchilds, Amador County :

"Black Hawk," stallion, over three years old.

"Shakspeare," stallion.

J. Sutherland, Amador County :

"Blueher," stallion, over three years old.

G. W. Grayson, Tehama County :

"Harkaway," stallion, over four years old.

E. Chamberlain, Solano County :

"Flying Morgan."

"Cosmo."

"Starlight," mare.

James Miller, Sacramento :

"Lucy and Naney."

John Hall, Alameda County :

"Owen Dale," stallion.

"Gladiator," stallion.

"California," stallion, over three years old.

"Esperanza," mare, over three years old.

"Bay Bob," stallion.

J. W. Richmond, Sacramento :

"Queen" and colt.

"Mary Walker," over one year old.

J. B. Harbin, Yolo County :

"Traveller," over four years old.

"Tiger Whip," over three years old.

W. A. Mathews, Santa Clara :

"Joseph," stallion.

"Wm. I. Ferguson," stallion, over three years old.

"Nellie Hall and Jennie Hollister," over three years old.

M. Fay, Sacramento :

"Mary Jane," over two years old.

Robert Watt, Nevada :

"Honest Anee."

D. Dennister, Nevada :

"Bob Cole."

Barney Rice, San Francisco :

"Jim Barton."

George N. Ferguson, San Francisco :

"Glencoe Chief."

John Fitzsimmons, Sacramento :

"George Moore."

A. N. Fisher, Stockton :

"Chieftain," over six years old.

J. C. Davis, Yolo County :

"Lady Rotan," and family.

"Billy Shears," over four years old.

"Lady Shears," over three years old.

"Chuckahilo," over two years old.

"Minnehaha," over one year old.

"Lady Wolfskill," over two years old.

"Mary A. Davis," over two years old.

"Lizzie Wolfskill," over one year old.

"J. C. Davis," over one year old.

"Molly Brooks," over six months old.

"Johnny Wolfskill," over six months old.

"Antelope," over six months old.

Mike Bryte, Yolo County :

"Nick," over two years old.

Yearling colt.

Sucking colt.

"Anna," mare.

J. M. Garoutte, Yolo County :

"Young Gray Eagle," stallion.

Ed. Bean, Sacramento :

"Lady Duroc," over five years old.

J. C. Davis, Yolo County :

"Rose Clifton."

"Milton S. Latham," yearling.

"Billy Clifton," over four years old.

"Lady Clifton," over three years old.

"Jim Bigart," over two years old.

"David C. Broderick," over one year old.

E. M. Skaggs, Sacramento :

"Rattler, Jr.," over four years old.

Thomas Maguire, San Francisco :

"Abby Woods."

Josiah Sessions, San Francisco :

"Diamond."

- A. F. Grigsby, Napa County :
 " Volcian."
- C. H. Berger, Napa County :
 " Molly Higby."
- William B. Campbell, Sutter County :
 " Young Lightning."
- W. W. Burdett, San Francisco :
 " Dare Devil."
- Cyrus Barnes, Yolo County :
 " Heenan."
- W. K. Reed, San Joaquin County :
 Matched carriage horses.
- R. L. Ogden, San Francisco :
 Matched carriage horses.
- Thomas Maguire, San Francisco :
 Matched carriage horses.
- J. R. Crandall, Placer County :
 Matched pacers.
- J. R. Whitney, San Francisco :
 Matched trotters.
- Barney Rice, San Francisco :
 " W. H. Seward."
- Jack Kelly, San Francisco :
 " Gen. Taylor."
- Mr. Dewey, Santa Clara County
 " Kentucky Hunter."
- S. Daniels, Sonoma County :
 " California Chief," stallion.

CATTLE DEPARTMENT.

- Thomas Bedford, Colusa County :
 " Shasta," bull, over five years old.
- Torney & Fagan, Napa County :
 " Herald the Sixth."
- Milton Dale, Yolo County :
 " Rosa," over two years old.
 " Dixie," over one year old.
 " Roland and Tom," under one year old.
 " Verona."
 " Mary Jane."

J. D. Patterson, Alameda County :

"Duke of Airdrie," over three years old.

"Devon Duke."

Alderney "Albert."

Alderney heifer "Diana."

"Jerseyman," calf.

George Chase, Santa Clara County :

"Grand Turk," bull, over three years old.

S. Daniels, Sonoma County :

"Medoc," Devon bull, over four years old.

"Calf," Devon.

"Pacific," Devon bull, over three years old.

"Oakland," Devon bull, over one year old.

"Fashion," Devon cow, over four years old.

"Lassie," Devon cow, over four years old.

"May Queen," cow, over three years old.

"Beauty," cow, over three years old.

"Mand," cow, over two years old.

Two Devon heifers, over one year old.

"Wattie," Ayrshire.

"Nina," heifer.

J. C. Davis, Yolo County :

"Comet," bull.

"California Belle," cow.

"Anna Stevenson," yearling.

"Red Rose" and calf.

"Bracelet," cow.

"Joe," bull.

"Red Jacket," bull.

"Lily," cow.

"Snow Bell," cow.

"Julia," cow, two years old.

"Lizzie," cow, one year old.

"Mary."

Clark & Cox, Placer County :

"George," bull, over three years old.

MULE DEPARTMENT.

R. Y. McElroy :

"Stephen A. Douglas," jack.

Thomas Edwards, Sacramento :

"Lady Franklin," jenny.

"Lady Washington," jenny.

R. B. Carey, Yolo County :

Pair mules.

J. C. Davis, Yolo County :

"Black Warrior," jack.

SHEEP DEPARTMENT.

McConnell & Curtis, Sacramento County :

- Eight Spanish merino bucks.
- Five Spanish merino ewes.
- Five Spanish merino buck lambs.
- Two Spanish merinos, two years old.
- Ten ewes, graded, two years old.

Bachelder & Cotter, Sacramento County :

- Two Spanish merino bucks, four years old.
- One Spanish merino buck lamb.
- Four Spanish merino ewes.
- Nine half breeds.
- Five buck lambs.

J. B. Hoyt, Solano County :

- Five ewes, two years old.
- Five ewes, one year old.
- Five ewe lambs.

J. D. Patterson, Alameda County :

- "Exeelsior," French merino ram, two years old.
- "Emperor," French merino ram, two years old.
- "Napoleon the Fourth," French merino ram.
- Two French merino rams.
- Four Vermont French merino rams, two years old.
- "Don," Spanish merino ram, two years old.
- "Pedro," Spanish merino ram, two years old.
- "Bishop," Spanish merino ram, two years old.
- Two Spanish merino rams, two years old.
- Six Spanish merino rams, three years old.
- "Jonas Webb," Southdown ram, two years old.
- "York," Cotswold, two years old.

J. C. Davis, Yolo County :

- Six Cotswold ewes.
- Two Southdown lambs.
- Two Leicestershire ewes.

POULTRY DEPARTMENT.

Richard Thompson, Placer County :

- Two black Spanish roosters.
- Two black Spanish hens.

H. S. Beals, Sacramento County :

- Coop Japanese fowls.

C. S. Lowell, Sacramento County :

- Two coops black Spanish.

Miss Minnie E. Hoag :

- Coop Sumatra chickens.

SWINE DEPARTMENT.

Thomas Edwards, Sacramento County :

One Essex boar, seven months old.

One Essex sow, seven months old.

J. S. Curtis, Yolo County :

One Westphalia sow, two years old.

FARM PRODUCTS ENTRY.

In this department of the exhibition the entries were very meagre, and there was scarcely any competition worthy of the farmers of California. There were articles, however, entered under the above caption which afford evidence that our State is constantly adding to her list of products valuable in the demands of commerce, and prominent among these articles may be named hops, raisins, and prunes, the two latter items of which have been referred to under the head of Fruit Department.

No other country in the world can excel our State in the production of hops. The season being long, there is no danger from premature frost; and as there is an entire absence of rains from the time the hop goes into blossom until the strobels are ripe for picking, there is neither mildew nor blight to be dreaded, and no part of the resin secreted in the strobels is lost, as happens in rainy countries, by its being washed out during violent storms of wind and rain. Brewers attest that one pound of well cured California hops is equal in strength to two and sometimes three pounds of those imported from countries subject to rain storms during the ripening and gathering season. The hop culture should be largely entered into all along our extensive river bottoms, as there would grow up a home demand on account of our having a superior article of barley for brewing purposes. The markets for strong beer and ales within the circuit of the Pacific Ocean and the Chinese Seas should induce the establishment of extensive breweries in California.

Among the exhibit of dried fruits were many samples of figs, in such a perfect state of preservation as to encourage the development of this branch of productive industry beyond the mere matter of experiment.

In the list of new articles of California industry, making its appearance for the first time this season, was manufactured tobacco. Extensive fields of this plant have been successfully grown in various parts of the State, and its future cultivation is destined to occupy an important share of the attention of our farmers. Thus far the effort seems to be to produce the greatest amount of pounds to the acre; this is at the expense of quality. A remedy, however, will be found in planting on thinner, poorer soils. There are vast sections of land throughout the State almost worthless for any other purpose than tobacco culture by reason of an excess of alkalies, but which will grow this plant in great perfection. Experiments indicate that the leaf of plants grown on alkali soils is tougher than those raised on a rich vegetable deposit nearly free

from alkaline elements. Much difficulty has been experienced among tobacco growers in the proper curing of their crops. This climate being entirely different from that of the Atlantic States, the same modes of preparation for market have not met with that success which is desirable. This, however, will be remedied by continued experiment.

In dairy produce the exhibition was deficient to a mortifying degree, considering that this is the greatest stock country in the world, compared with its population. During the past two years, butter from the Atlantic States has been thrown upon our markets in enormous quantities. This being a cash article, shippers in the East have been enabled to purchase in their markets with paper currency and sell in ours for gold, and get results by return steamer. Sales were made in San Francisco at less than the invoice cost in New York, yet shippers realized satisfactory profits by the difference in exchange. This was a competition which resulted disastrously to our dairymen, so that many herds of milk cows have been turned out for stock-breeding. This is only one of the many industrial interests which were rapidly growing into importance before the disastrous effects of this unnatural condition of exchange took place, which have been ruinously affected by its operation.

EXHIBITORS IN THE FARM PRODUCE DEPARTMENT.

B. H. Hoag, Napa :

One case of honey.

J. S. Harbison, Sacramento :

One case of honey.

J. R. Nickirson, Placer County :

One sample of lard.

One sample of honey.

One sample of buckwheat.

One sample of bacon.

One sample of hams.

Sample of sweet potatoes.

Sample of peas.

Sample of garden seeds.

Four varieties of raisins.

Four varieties of dried figs.

Five varieties of dried peaches.

Four varieties of dried pears.

Four varieties of dried apples.

Four varieties of dried plums.

Two varieties of dried prunes.

Three varieties of dried nectarines.

Three varieties of dried apricots.

Five jars of preserves.

Four jars of can fruits.

One jar of jelly.

One jar of brandy peaches.

J. Phillips, Sacramento :

One pyramid of confectionery.

One case of confectionery.

Miss M. C. Burns, Sacramento :

One sample of bread.

J. M. Griswold :

Bread from Unfermented Bread Company, San Francisco.

Miss Isadore King, Sacramento :

Sample of bread.

Stockton & Coover, Folsom :

Sample of flour.

Sample of corn meal.

Sample of rye flour.

Sample of hominy. .

Sample of pearl barley.

E. M. Smith, Folsom :

Sample of soda crackers.

John Smith, Sacramento :

Sample of bread.

George McKee, Sacramento :

Sample of bread.

Miss M. E. Burns, (aged eleven years,) Sacramento :

Sample of butter.

Miss Nellie Sprague, (under eighteen years) :

Sample of butter.

E. M. Smith, Folsom :

Sample of butter.

Mrs. M. Dale, Knight's Landing :

Sample of butter.

Mrs. E. F. Aikin, Sacramento :

Sample of butter.

Frink & Allsop, Sacramento :

Sample of butter.

Exhibit of cheese.

George E. Coggsall :

Samples of Carolina sweet potatoes.

Samples of Irish potatoes.

Samples of watermelons.

Samples of muskmelons.

Samples of egg-plant.

Samples of turnips.

Samples of beets.

Samples of carrots.

Samples of cabbages.

Samples of tomatoes.

C. G. Hidden :

Samples of summer squashes.

C. G. Hidden :

One bale of hops.

Samples of sweet potatoes.

P. Nolan, Sacramento River :

Exhibit of onions.

Exhibit of sweet potatoes.

A. Palm, Sacramento :

One squash.

Joseph Kile, Woodbridge, San Joaquin County :

Samples and bale of tobacco.

George Cone, Sacramento :

Two squashes.

Samples of beets.

Samples of corn.

M. Sprague, Sacramento :

Sample of squashes.

Thomas Edwards, Sacramento :

Samples of pumpkins.

Samples of squashes.

Samples of carrots.

Samples of leaf and manufactured tobacco.

E. Pierce, Sacramento :

Samples of corn.

R. Gabriel, San José :

Sample of manufactured tobacco.

Thomas Milgate, Sacramento :

Twelve varieties of squashes.

Five varieties of beets.

Two varieties of tomatoes.

One variety of carrots.

Twenty-four varieties of corn.

One bushel of beans.

J. S. Curtis, Yolo :

One lot of peanuts.

Sample of tobacco.

D. McGowen, Yolo :

Sample of peanuts.

Sample of cabbages.

Sample of tomatoes.

T. Woodward, Sacramento :

Sample of tobacco.

Mark Hopkins, Sacramento :

Sample of blood beets.

Jesse Morrill :

Samples of tobacco.

- G. G. Morgan, Sacramento :
Sample of beets.
Sample of squashes.
- Isaac Bird, San José :
Samples of potatoes.
Samples of tobacco.
- Charles Heinrich, Sacramento :
Sample of Bohemian hops.
- S. Stata, Sacramento :
One bale of hops.
- John Adamson, Solano :
Sample of wheat.
- B. N. Bngbey, Folsom :
Sample of raisins.
- Miss M. H. Crocker, Sacramento :
Five jars of jelly.
An assortment of dried fruits and preserves.
- Mrs. N. L. Drew, Sacramento :
One dozen of can fruits.
Two jars of pickles.
Samples of catsup and brandy fruits.
- Miss M. E. Drew, Sacramento :
One drum of figs.
- A. Bergeman, Sacramento :
Two bottles of pickles.
- Dr. John Strentzel, Martinez :
Five varieties of raisins.
- Mrs. A. C. Sweetzer, Sacramento :
Sample of dried figs.
- Mrs. J. H. Hoag, Sacramento :
Five drums of figs.
- Mrs. I. N. Hoag, Yolo County :
One sample of dried figs.
One sample of jelly.
- Mrs. E. B. Crocker, Sacramento :
Nine varieties of dried fruits.
Five varieties of pickles.

WINE DEPARTMENT.

In no other department of the exhibition was there so much competition, or a more deep and friendly rivalry, than was manifested between the various competing wine growers.

There were twelve exhibitors of wine and brandy, whose schedules covered a list of seventy-six competing kinds, which were the product of a great number of localities widely separated by distance, and equally distinct in the character of the soil on which it was produced, as well as in phenomena of climate, altitude above the sea level, and exposure of the location where the grapes grew from which the wines were made.

These wines also were the product of many different varieties of grapes, and some of them of kinds heretofore recognized as only fit for the dessert, but now for the first time appearing for public favor in the form of wine.

It was exceedingly unfortunate that the Committee of Judges were unable to meet at an earlier day of the Fair, because, in the short time allowed them for their examinations it was next to an impossibility for them to make such critical tests as were required, so that they could make such awards as would do justice to themselves as Judges, and to the exhibitors in competition for the prizes of merit offered by the society.

It is due to the exhibitors, as well as the committee and the public at large, to state that the examination of the seventy-six samples of wines only occupied the brief period of about two hours—a space of time entirely inadequate to even allow of the proper classification of the large number of kinds of wine for examination, to say nothing of any attempt at distinguishing, with nicety, the slight shades of difference between those of the same age and class.

No wine connoisseur, however experienced, can, at any one sitting, which shall occupy only a few hours, properly sample and pass a correct judgment upon more than a very few kinds of wine during that sitting, because wines are of such a nature that the palate becomes vitiated to such an extent by the aroma of some and the excess of tannic acid contained in others, that the individual, after tasting a few kinds, is utterly unable to distinguish between sorts where there are only slight differences; and these trivial differences are really the valuable properties which go to make up the character and value of the wine. Hence it is deeply to be regretted that a more elaborate and critical examination of the wines on exhibition could not have been had at the State Fair, not more so because a different result might have attended the awards of the committee than on account of the magnitude of the interest involved.

It may not be amiss here to state, that among exhibitors of wines was a firm having not less than a half a million of dollars invested in the wine business, while another exhibitor was the representative of a society which already cultivates four hundred acres in vines, and contemplates planting out six thousand acres within the next decade of years.

Even had the committee taken sufficient time to have made their examinations with proper deliberation, they could have only come to the conclusion, that although they should award the prize to a wine of a certain locality, it would be no conclusive test of merit, as the competing wines raised on certain other localities were an entirely different kind, because of locality where produced. Wines raised in Sonoma may be properly put in competition with other wines grown in the same locality; but with such distinct differences in soil and climate as are found between Sonoma, Los Angeles, and El Dorado County, it becomes an absurdity to place the wines of one of these districts with those of the other for comparative competition. A white wine of Sonoma is an

entirely distinct kind of wine from a white wine of Los Angeles; and neither will for a moment be taken, by a competent judge, for a white wine grown in Coloma.

These facts show that the premium schedule should call for a more specific classification, particularly of white wines, and these should be made the standard for excellence, because such wines are less affected by extraneous matter than red wines, and in the offers of premiums the competition should be stated to be between wines grown in districts having a similarity of climate. This might be done by dividing the State into three general departments: first—Los Angeles and vicinity; second—all the wine growing counties west of the San Joaquin River and south of Yolo County; third—all the section east of the San Joaquin and Sacramento Rivers and north of Yolo County, including the foot-hills of the Sierra range.

It is noteworthy that of wines which were put in competition as wines four years old and over, that those which were the oldest took the premiums. This is an encouraging circumstance to induce our vintners to keep their wines, so that they shall command a greater value by reason of improvement by age.

A small appropriation from the Legislature, so that a competent chemist could be employed to analyze the soils and wines of our young vineyards, would be of incalculable benefit to this growing and already important branch of productive industry. It would also enable the detection of any attempt at adulteration on the part of unscrupulous dealers, and be the means of keeping up the reputation of California wines as being solely the product of the vine.

One of the most important subjects connected with wine culture was scarcely touched upon by the committee, for the reason, as before stated, that they were pressed for time, and this subject is the first every vintner should thoroughly canvass, before embarking in the business—it is as to which are the best kinds of grapes for wine.

The Spanish Mission grape, which has already borne the test of eighty years of culture in the State without one recorded season of failure, still maintains its prominence, both as a dessert and wine grape. Indeed, by reason of its richness in grape sugar, the abundance of its juice, the evenness of its time of ripening, and the ample, broad, thick foliage, which enables it to withstand our dry, hot days, and during the succeeding cool nights absorb from the atmosphere an ample supply of moisture to feed its prodigious loads of fruit, places this variety almost without a peer for extensive vineyard cultivation. Experiments, however, with many European sorts, indicate that varieties may be obtained which will supersede the Mission grape, by reason of their possessing a higher aroma, which shall give to wines made from them that great desideratum, "boquet."

Among the foreign sorts, which already give evidence of great promise, is the black Burgundy wine grape of France. Samples of wine made from this grape, grown in a number of distinct localities, were pronounced exceedingly rich, and there is no longer any question but that California will produce the celebrated Burgundy wines, of an excellence far superior to those grown in its native district in France. Indeed, for young wines, the samples of Burgundy were remarkable for their color, body, and delicacy of flavor.

Among the wines on exhibition, were also found the famous Catawba of America. It may seem superfluous to speak in commendation of the Catawba grape, as a wine grape, but when its wine has already obtained

a world wide reputation, and this reputation may justly be increased, rather than lessened, by the improvement in the quality of this grape in our favorable climate, it becomes a matter of the highest importance to our vintners to inquire as to the policy of making it a leading feature in California vine culture.

A few reasons in favor of planting the Catawba grape for wine purposes may be briefly stated: Catawba wine has already obtained a lasting popularity. This grape will grow at a higher altitude in our mountains, and not suffer by frost, than any other wine grape. It also will flourish within the sweep of the cold ocean winds and fogs, unaffected by mildew. Finally, no other grape possesses so many elements for a wine of commerce, because its individuality of flavor is rather increased by age than lessened. It will also be an invaluable kind to mix with the Mission grape, to give the wines of the latter what they are most deficient in—boquet and flavor. A significant incident took place during the examination of two competing samples of Catawba wine by the committee, which was illustrative in a marked degree as to what constituted the real merits of Catawba wine. The samples were of the same age, and one of them when poured out into a glass was very clear, nearly white, and had evidently been well handled. Its competitor was of a dingy, cloudy hue, but it possessed in a far greater degree the strong flavor of the Catawba grape. To the latter was awarded the preference by the committee, solely on the ground that it tasted more like the Catawba grape. Indeed, this sample of highly flavored Catawba wine excited more commendation than any other variety of wine on exhibition.

Objections are made to this grape because it is not as prolific a bearer as the Mission grape; but when it becomes known that the Catawba never fails to produce a crop in all situations and seasons, and besides, when wines shall have become cheap, it will then be an object to grow such kinds as will make a high priced wine, for the deficit in quantity will be more than compensated by quality, and the lessened cost of labor in handling, cooperage, and storage.

At the outset of planting a vineyard, it is of the utmost importance to plant the most valuable kinds of grapes, as the difference in the cost of plants will in any event be trifling, while the after value of a vineyard when in full bearing will be double or quadruple, if not more.

ENTRIES OF WINE AND BRANDY.

B. N. Bugbey, Folsom, Sacramento County:

Red wine of eighteen hundred and sixty-one and eighteen hundred and sixty-two, from the Mission grape.

White wine of eighteen hundred and sixty-two, from the white Malaga grape.

This is a mountain vineyard, low down among the foot-hills.

J. T. Godfrey, San Francisco:

Eight kinds of white and red wines, mostly the product of Sonoma Valley, of several vintages.

C. Weil, Sacramento:

White and red wines.

A sample of brandy, grown by C. F. Scholl, Anaheim, Los Angeles County.

Kohler & Frohling, San Francisco :

A large number of varieties and vintages of white and red wines and brandy, grown at Los Angeles.

A fine sample of Peach brandy.

George H. Butler, Sonoma :

White and red wines of the vintage of eighteen hundred and sixty-two.

J. M. McClellan, Sacramento :

Three varieties of wines.

A. Gaffnesh, Sacramento :

"Must," of the growth of eighteen hundred and sixty-three.

Charles Heinrich, Sacramento :

Three samples of white and red wines.

Martin Alhóff, Coloma, El Dorado County :

White still wine of the vintages of eighteen hundred and sixty, eighteen hundred and sixty-one, and eighteen hundred and sixty-two.

Red wines of various vintages.

Samples of Catawba, Isabella, and Burgundy wines.

Samples of grape, peach, and apple brandy.

The Buena Vista Vinticultural Association, Sonoma :

White wine of the vintage of eighteen hundred and fifty-seven, eighteen hundred and sixty, and eighteen hundred and sixty-one.

Red wines of eighteen hundred and fifty-seven and eighteen hundred and sixty-two.

Three kinds of brandy.

Samples of sparkling champagne.

J. Strentzel, Martinez, Contra Costa County :

Seven varieties of wine made from foreign grapes, among which were wines from the black Hamburg and Chasselas grapes.

Samuel Rich, Sacramento County :

Samples of red wine of the vintages of eighteen hundred and sixty-one and eighteen hundred and sixty-two.

FRUIT DEPARTMENT.

In this department of the exhibition there was a falling off, compared with the entries of several previous Fairs. This was owing, in great part, to the late period of the season at which the Fair was held, and from the fact that fruits generally ripened a few weeks earlier than in ordinary seasons. The general character of the fruit display was remarkably fine, and gave evidence that this branch of profitable and fascinating horticulture is receiving marked attention in all parts of the State.

It has so long been the custom to publish individual instances of enormous specimens of apples, pears, peaches, quinces, and grapes, that to

continue the habit would be to merely recapitulate what already appears, as though but a copy of the stereotyped record of many previous years' exhibitions. The greater attention, however, to varieties which are valuable, more on account of their intrinsic merits than because of size or showy appearance, is a favorable indication of improvement in this department.

The present season has been one of extraordinary productiveness in every branch of pomology. Indeed, the market for green fruits has been so abundantly supplied that no people in the world have had such luscious fruits, and at so little cost. This excess of supply over demand has set a great number of orchardists to work in drying their surplus fruits, and this has been carried on to so large an extent as to render the profitable importation of dried fruits to this coast a matter of hazard for the future. The rich saccharine qualities contained in our peaches, apricots, nectarines, and plums, with the certainty of abundant annual crops, should lead our farmers to go largely into the planting of orchards, for the sole purpose of drying the fruit for export. Nevada Territory, with its giant strides in population and development of mineral wealth, as well as the various countries along the Pacific coast, already afford a vast market for the surplus products of California, and none are sought for with greater avidity than our preserved and dried fruits. Among the features of this year's exhibition there were two articles which rendered it remarkable, if there had been nothing more. These were dried prunes and raisins. The prune and raisin of commerce have long since been considered a necessity of civilized life, and the ease with which both of these are raised and cured in this climate foreshadows that in no long time they will take their place among our list of extensive exports. The samples of dried prunes on exhibition were of the German variety, and were cured by simply being spread on tables and exposed a few days to the sun. Even in this way they retained the rich bloom of the green plum, and the dried pulp was soft, and plastic, and rich in that sharp acidity which constitutes the great value of this fruit for culinary purposes. It would be at but a trifling cost, and cause a delay only of a couple of years, for our orchardists to turn their many nearly valueless plum trees into prunes, by budding and grafting, so that, instead of witnessing tons of rotting fruit on the ground, which is worthless because the kinds are not valuable for drying, they could make the annual sale of their prune crops one of the most important items of their orchard receipts.

Hitherto there has been at our annual Fairs much inquiry for a grape which was every way suitable to make raisins; and on more than one occasion dried grapes have been exhibited for which a claim has been set up to have accorded to them the name of raisins. Any grape can be dried so as to give it the character, in outward appearance, of the raisin of commerce; but it is not every grape that will cure so as to be even an approach to the Malaga raisin. The only grape which has as yet been dried in this State so as to become a raisin at all resembling the Malaga raisin, is the White Muscat of Alexandria. This grape, after being dried, has the same color and soft pulpy body and rich aromatic flavor which so eminently distinguishes the raisins of Malaga. It is true, that any kind of grape, when dried, will be valuable for cooking purposes; but soft-fleshed grapes shrivel away to such an extent that when properly cured there is little left of them but skin and bones. On soft-fleshed grapes from one third to three quarters of their weight shrinks away under the process of curing, while of hard-fleshed kinds the loss of weight is only from one third to one half.

In planting future vineyards, two objects should be kept in the foreground: the production of wine, and raisins. The mere supplying of our present or prospective population with dessert grapes is insignificant, when compared with our already enormous capacity to supply; hence the making of wine and raisins for commerce are the only avenues through which to find markets for the products of our rapidly increasing vineyards.

ENTRIES OF APPLES, PEARS, PEACHES, AND QUINCES.

G. H. Tilley, Sacramento:

Thirty-nine varieties of apples.

Three varieties of pears.

G. Hoek:

One variety of apples.

One variety of quinces.

A. Palm, Yolo County:

Three varieties of apples.

George Courtwright, Rock Springs:

One variety of apples.

H. Davis, Dutch Flat, Placer County:

Thirty-eight varieties of apples.

Eight varieties of pears.

Seventeen varieties of peaches.

One variety of quinces.

One variety of plums.

Eight varieties of grapes.

C. W. Reed, Yolo:

Fourteen varieties of apples.

Eighteen varieties of pears.

One variety of quinces.

George E. Coggshall:

Twenty-seven varieties of apples.

Four varieties of pears.

One variety of quinces.

A. S. Greenlaw:

Fifty-four varieties of apples.

Ten varieties of pears.

Two varieties of quinces.

Sanderson & Bro., San José:

A large number of varieties of apples and pears

Martin Knox, Yuba County:

Six varieties of apples.

A. Runyon, Sacramento River:

Twenty-six varieties of apples.

Two varieties of quinces.

- J. M. B. Wetherwax, El Dorado County :
Thirty-two varieties of apples.
Sixteen varieties of pears.
- C. V. Tallmadge, Sacramento :
One variety of apples.
- J. E. Peasley, San Joaquin County :
Nine varieties of apples.
- C. Weisel, Sacramento :
One variety of apples.
One variety of pears.
- J. R. Nickerson, Placer County :
One hundred and sixty-two varieties of apples.
Sixty-eight varieties of pears.
Seven varieties of quinces.
Thirteen varieties of peaches.
Six varieties of plums.
Fifty-four varieties of grapes.
- B. Cahoon, Sacramento :
One variety of pears.
- C. G. Hidden, Sacramento :
Two varieties of pears.
- R. R. Wick, Sacramento :
Two varieties of quinces.
- W. C. Felch, Sacramento :
One basket of peaches, raised by Ingoldsby, Coloma.
- Mrs. J. Wise, Sacramento :
One variety of quinces.
- B. N. Bugbey, Folsom :
One variety of grapes.
- Samuel Rich, Sacramento :
Thirty-four varieties of grapes.
- A. Gaffnesch, Sacramento :
Fifty-eight varieties of foreign grapes.
- Mark Hopkins, Sacramento :
Four varieties of grapes.

FIBRE DEPARTMENT.

SILK.

About fifteen years have passed since the news went out from the Golden Gate at San Francisco that the arid Sierra range of mountains

contained inexhaustible gold bearing placers. Thus was there about to be furnished to the necessities of commerce additional supplies of bullion to meet the increasing demands of an extending civilization, which was producing, everywhere its influence went, an eager desire for luxurious life. In a few brief years, gold, which was a paucity, became a plethora in the marts of 'Change. This gave opportunity for the indulgence of extravagant personal expenditure, and its first effects were observed by a growing scarcity of that most costly and beautiful fabric of clothing, silk.

Indeed, the demand for this fibre has been so greatly in excess of its production, that there has become almost an exhaustion of the stocks in all silk growing and manufacturing countries. It is remarkable, that during this period of increased demand, there should have appeared climatic obstacles to its increased production. Indeed, unfavorable circumstances have operated to bring about a scarcity of silk in lessened production, nearly as much as increased demand has tended to the exhaustion of stocks on hand at the commencement of the period spoken of.

Meteorological observations indicate that the seasons in the south of Europe have been growing colder and moister during many years past. These are the unfavorable circumstances which have attended silk culture in Europe. It is an absolute requirement to the health of the silk worm, that it should have a dry, warm climate, free from explosive electricity. A single shock of a heavy discharge of electricity often kills the entire crop of worms in the cocoeneries of France and Italy. Again, a protracted rain storm so saturates the leaf of the mulberry, on which the worms are to be fed, that a species of cholera becomes endemic among them, in consequence of the poisoned viscid secretions, engendered by the humid, sunless atmosphere. These phenomena of climate, when prevailing to an excessive degree, render what worms survive their unfavorable influences sickly, and unable to spin only an inferior article of silk. Nature has her law of reclamation and compensation, unerringly enforced by the Great Architect. Hence, when the nutritious alluvium, with its bosom garlanded with fragrant flowers, is torn from the mountain slope by the plunging torrent, it is given lodgment on the delta, to again unfold the mystic herbarium. Thus, when there is felt to be a declining production of silk in Europe, owing to causes beyond human control, it is discovered that there is a new land, toward the setting sun, possessing every requisite to make it a great silk producing country. It is needless to say that this new Eden is our highly favored and beloved California.

Without entering into an elaborate discussion as to reasons why silk culture may be made a successful undertaking by our people, a remark will satisfy all that every farmer or gardener ought to plant extensive fields of the mulberry, so that in a little time silk culture may be made a large business. The mulberry tree is easy of propagation, growing from cuttings; it makes a good hedge fence; it is free of vermin; its fruit is relished by the birds. This latter will save the destruction of the choice fruits of the orchard and vineyard. A farm surrounded and subdivided with hedges and avenues of the mulberry tree will in a few years be very valuable, solely for the foliage of the trees to sell to silk growers.

As there is neither explosive electricity nor rain in California from May to October, it is seen that climatic conditions are entirely in favor of this as a silk growing country.

ENTRY OF SILK COCOONS.

L. Provost, San José :

Two bouquets of cocoons.

Two wreaths of cocoons.

COTTON.

"Cotton is King"—a political axiom not found to stand the inexorable logic of war. Within the past two years, attempts have been made in various parts of the earth to cultivate this valuable fibrous plant, and with what measure of success remains yet to be learned. Cotton, as a fibre for human clothing, was grown ages before the era of written history, so that its extraordinary claim as an arbiter of commerce may not be of modern assumption. This much, however, is known, that it had no commanding importance until after the invention of the "gin" to separate the seed from the fibre. Possessing a well disciplined and abundant compulsory labor, with a climate and soil covering every requisite, the Gulf Atlantic States soon became the great cotton growers of the world. This pre-eminence was maintained against powerful efforts in India, aided by the British Empire, which could detail to this enterprise hordes of laborers, quite as much subject to the involuntary condition as was negro slavery in the United States. With quite as rich a soil, India yet lacked the favoring seasons which follow with periodical certainty in America. Cotton growing may assume some importance in countries where the climate assimilates to that of the Southern States, but such importance will be limited to the removal of the difficulties which have temporarily convulsed the industry of those States. With the return of stable government will return social order, and all classes being brought to the common level of necessity, will be obliged to work. This will add vastly to the physical labor power of the Cotton States, as there will be no longer any requirement that one half of the community should be employed in compelling the other half to labor.

Thus it is seen that the inducements to cotton culture in California are of a temporary rather than permanent character, and will be withdrawn entirely with the resumption of the industrial pursuits in the disturbed districts of the cotton growing States. Neither is California more favorably situated by reason of climate than by lack of labor facilities for the growing of this fibre. Cotton requires a warm moist climate for its most successful production, and on the phenomena of humidity the growing and ripening season in our State is the very reverse of that of the cotton States.

These suggestions are not made for the purpose of discouraging experiments in cotton culture in our State, but that important facts connected with it may not be lost sight of by those too sanguine in an enterprise which on first sight gives promise of splendid results.

ENTRIES OF COTTON.

Jackson & Johnson, Sacramento County :

Samples of a field of twenty-five acres.

J. Clark, Sacramento :

Sample grown on dry sandy soil.

WOOL.

In the early days of the California Mission "regime," sheep husbandry was carried on to an enormous extent by those most astute and enterprising pioneers of civilization, the "Mission Fathers." Afterwards plundered, trampled upon, and discouraged by Mexican misrule, the Mission establishments, with their countless herds of sheep, had gone into ruins and nearly disappeared from the ranges at the advent of Anglo-American enterprise. Appreciating the examples of success found in the history of the early settlers, and under the protection of a just and fostering government, sheep husbandry is again assuming vast importance in California. With unlimited pasturage, and a climate peculiarly suited to the health of this animal, especially when congregated in large bands, the crossing of breeds continues with unexampled rapidity, and it may be said truthfully that at this early day our State can boast of larger herds of pure merinos, belonging to a single proprietor, than any other country, not even excepting their nativity, Spain.

Few obstacles are encountered in sheep growing in this State, and most of these are susceptible of simple remedy. Among these difficulties, it is stated, is an unevenness in the fibre, on account of the checking of its growth just before and during the early part of the rainy season, when feed is short. This can and is being remedied by attentive growers, who cut and stack hay to be fed out during the season of famine. This keeps the flocks in good condition, so that the staple has an even unchecked growth.

ENTRY OF WOOL.

J. B. Hoyt, Solano County:

Three fleeces of Spanish Merino from eleven months lambs, weighing, in the aggregate, thirty-six and a half pounds.

 IMPLEMENT AND MACHINERY DEPARTMENT.

E. Hughes, Santa Clara County:

Safety blasting apparatus.

Eyeless mining pick.

Thomas Varney, San Francisco:

Amalgamating pans.

Julius Cameron, Sacramento:

Model of amalgamating pan.

R. K. Wick, Sacramento:

Mining picks.

C. H. Harrison, San Francisco:

Eccentric steam force and lifting pump.

F. B. Lamb, San Francisco:

Sheep shearer.

- Baker & Hamilton, Sacramento :
Header.
Barley mill.
Agricultural implements.
- J. M. Horner, San Francisco :
Washing machine "Economy."
- B. F. Connelly, Sacramento :
Hansbrow's Challenge Force Pump.
- S. E. Phelps, San Francisco :
Clothes wringer.
- R. K. Wick, Sacramento :
Blacksmith work.
- B. Collins, San Leandro :
Washing machine "Little Giant."
- John Denn, Sacramento :
Wine press.
- J. L. Morrill, Sacramento :
Force and lifting pump.
- J. D. Card, San Francisco :
Tire upsetter.
- J. Dickerson, Sacramento :
Model of windmill.
- W. B. Ready & Bro. :
Two gang ploughs.
- W. M. Jackson, Woodland :
Windmill.
- George Kelton, Mokelumne :
Harrow.
- Cronkite & Beebe, Sacramento :
Four ploughs.
Gang plough.
Cultivator.
- S. Stevens, Sacramento :
Model hay press.
- F. Zech, San Francisco :
Piano forte.
- George Pfaff, San Francisco :
Flutes and Piccolo.
- Jacob Zech, San Francisco :
One grand action piano forte.
One piano forte.
- Warren Holt, San Francisco :
School desks.

Goodwin & Co., Sacramento :

One sofa.
One easy chair.
One lady's chair.
Four ladies' chairs.
One lounge chair.
Two spring beds.

H. M. Bernard, Sacramento :

Family carriage.
Rockaway.
Top buggy.
Freight wagon.

Rippon & Hill, Sacramento :

Carriage wheels.

George P. Kimball, San Francisco :

Model truck.
Patent wheels.

George Schaefer, Sacramento :

Wine cask, one thousand gallons

R. Ireland, Sacramento :

Brooms.

E. Moulthorp, Sacramento :

Ross' patent churn.

E. T. Groves, San Francisco :

Wire work.
Bird cages.

A. S. Halladie, San Francisco :

Wire rope.

J. S. Harbison, Sacramento :

Bee hive.

H. Tubbs, San Francisco :

Rope.

Lord, Holbrook & Co., Sacramento :

Copper ware.

Kelly, Mott & Co., Sacramento :

Tin work.

Lamott & Co., Sacramento :

Hats and caps.

Nash & Fogg, Stockton :

Boots and shoes.

Hiram Cook, Sacramento :

Two ladies' saddles.
Two gentlemen's saddles.

Parker & Perry, Sacramento :

Harness.

- F. Rabel, Sacramento:
Exhibit of leather.
- C. F. Cook, San Francisco:
Ten boxes assorted soap, from "Eureka Soap Company."
- P. Franklin, Sacramento:
One case cigars.
- Gruhler & Co., Sacramento:
Lager beer.
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FANCY GOODS DEPARTMENT.

- D. Norcross, San Francisco:
- Two scarlet velvet P. G. aprons.
 - Two satin velvet I. O. of O. F. aprons.
 - Three square and compass aprons, Masonic.
 - Two full chart aprons, Masonic.
 - One scarlet royal arch apron.
 - Three black aprons, embroidered, I. O. of O. F.
 - Three purple collars, I. O. of O. F.
 - Two scarlet collars, I. O. of O. F.
 - One green collar, I. O. of O. F.
 - One watered silk collar, I. O. of O. F.
 - One blue silk velvet collar, Masonic.
 - Two pairs blue and white cords and tassels.
 - One pair heavy white cords and tassels.
 - One pair drab and brown cord and tassels.
 - Three soft silk girdles.
 - Four white silk girdles.
 - Eight silk girdles, assorted colors.
 - One piece of fringe.
 - Six cards silk buttons.
 - One bunch silk buttons.
 - One brown shade tassel, worsted.
 - One crimson tassel.
 - Two pairs carriage tassels.
 - Two sets silk curtain tassels.
 - Two sets silk cushion tassels.
 - Four sets worsted cushion tassels.
 - Four sets black and white cushion tassels.
 - One set white and black cushion tassels.
 - One pair scarlet and worsted cushion tassels.
 - Nine pairs silk cloak tassels.
 - Five pairs chenille tassels.
 - One pair blue and yellow worsted tassels.
 - One pair small gold and black tassels.
 - Two pairs Captain's shoulder straps.
 - One pair Second Lieutenant's shoulder straps.
 - One pair Major's shoulder straps.
 - One pair Colonel's shoulder straps.
 - One pair Lieutenant-Colonel's shoulder straps.

One pair Artillery Captain's shoulder straps.
 One pair First Lieutenant's (artillery) shoulder straps.
 One pair Second Lieutenant's (artillery) shoulder straps.
 One pair navy shoulder straps.
 One pair M. D.'s shoulder straps.
 One pair Lieutenant's shoulder straps.
 Six pairs navy wreaths.
 Five pairs cross cannon.
 Four pairs gold eagles.
 Two pairs cross sabres.
 One Knight Templar sword.
 One jewel sword.
 One polished sabre.
 One bronzed sabre.
 One sash, number 0.
 One sash, number 1.
 One heavy belt.
 One infantry belt.
 One American flag.
 Nine embroidered bugles.
 Two crochet capes.
 Four children's crochet capes.

Mrs. A. Ames, Sacramento :
 One case millinery.

Wilhelm Windmiller :
 Cotton embroidery.

Mrs. A. Hertel :
 Two embroidered tidies.

Mrs. L. Foster :
 Worsted embroidered lamp mat.

Mrs. Horace Adams, Sacramento :
 Infant's skirts, embroidered.
 Frames of California sea weeds and shells

Miss Mary E. Drew, Sacramento :
 Crochet shawls, in worsted.
 Tidy, in worsted.
 Three lamp mats, in worsted.
 Three tidies, in cotton.
 One collar.
 One pair cuffs.

Mrs. J. Bithell, Sacramento :
 One child's embroidered dress.

Miss Addie A. A. Curtis, Sacramento :
 Lamp mat, crochet.
 One shirt.

Miss Louisa Myers, Sacramento :
 Worsted embroidery.

Miss M. L. Klays, Sacramento :

Worsted work, embroidery.

One pair of slippers.

Worsted work.

One crochet tidy.

Miss A. Smith, Marysville :

Two crochet tidies.

Mrs. H. M. Adams, Placerville :

One silk embroidered shawl.

One chenille apron.

One chenille ottoman cover.

One worsted embroidered sofa pillow.

One chenille embroidered toilet cushion.

Mrs. E. H. Heacock, Sacramento :

One quilt.

Mrs. J. A. Carroll, Sacramento :

One baby's crochet crib blanket.

One crochet carriage blanket.

Mrs. L. A. Booth, Sacramento :

One worsted worked chair back and seat.

One silk patchwork chair back and seat.

Miss Minnie Booth, Sacramento :

One crochet cape.

Miss Edith M. Davis, Sacramento :

Specimen tarleton work.

Mrs. Phil. Cadue, Sacramento :

One embroidered sofa cushion.

One crochet afghan.

One embroidered petticoat.

Mrs. Wm. H. Develin, Sacramento :

Three crochet sacks.

One crochet shawl.

One crochet tidy.

Miss Julia Loreenze, Sacramento :

One crochet tidy.

One lamp mat.

Mrs. John Weber :

Silk embroidered vest.

Albert Esterle :

One sofa pillow, silk patchwork.

One table cover.

One chair and cover.

Mrs. E. G. Gower, San Francisco :

One crochet shawl.

One crochet tidy.

One crochet lamp mat.
One piece of worsted embroidery.

Mrs. Juliana Bayer, Sacramento :

Worsted embroidery.
One pair of slippers, embroidery.
One needle book, embroidery.
One needle book, silk and straw.
One table cover.
One centre-table cover.
Three collars.
One necktie.
One pair knit and embroidered window curtains.
One tidy.
One collar.
One lady's travelling bag.
One pincushion.
One watch pocket.

Miss Melvina P. Wheeler, Sacramento :

Case of crochet work, containing twenty-six pieces.

Miss Alice M. Cully, Sacramento :

One crochet lamp mat.
One tarleton worked collar and cuffs.

Miss Julia Dremar, Sacramento :

Two crochet worsted shawls.
One crochet lamp mat.
Six crochet collars.

Mrs. A. Smith, Sacramento :

Specimen work, in frame.

Miss Susie Cunningham, Sacramento :

One silk patchwork quilt.

Miss L. Petree, Sacramento :

One silk patchwork quilt.

Mrs. W. A. Headinberg, Sacramento :

One carriage afghan.

Mrs. Clark, San Francisco, Agent Deaf, Dumb, and Blind Asylum :

Fourteen specimens of crochet work.
Five specimens of embroidery.
Case of bead work.

Mrs. J. H. Shadduck, Grass Valley :

One embroidered collar.

Mrs. H. N. Fullum, San Francisco :

Two cone frames.
Two cone baskets.
One shell frame.

Miss Fannie A. Atherton, Sacramento :

One hair wreath.

- R. H. McDonald, Sacramento :
Case of surgical instruments.
- H. Bowman, Sacramento :
Case of California prepared medicines.
- Miss C. Wethey, Yolo County :
One horn card basket.
- Justin Gates & Bro., Sacramento :
Exhibit of medicines and perfumery.
- August Kohler, San Francisco :
Case of trusses, shoulder braces, ladies' belts and supporters, etc.
- Adolph Muller, San Francisco :
Nine fur capes.
One swan victorine.
Two Arctic white fox skins.
One wolf robe.
One gray fox robe.
One wolverine robe.
Forty genuine ermine skins.
- F. Fregazi, Marysville :
Case of perfumery.
- Miss L. C. Baldwin, Marysville :
Case of hair-work jewelry.
- Frederick Whitaker, Sacramento :
Two burr and cone frames.
- Miss Nettie Reynolds, Vacaville :
Case of hair-work.
- Mrs. G. B. Dian, Sacramento :
One alum basket.
- Jesse Morrill, Sacramento :
One cork oak tree.
One lemon tree.
One tree cotton.
- Crosby & Page, San Francisco :
Samples of stencil plates.
- A. Bergman, Sacramento :
Keg of wine vinegar.
- U. Simmons, Colusa :
Samples of mineral water.
- Mr. J. K. Brown, Sacramento :
Herbarium of California flowers.
- V. Squarza, San Francisco :
Prepared punches.

PHOTOGRAPHS AND PAINTINGS.

- Mrs. W. E. Brown, Sacramento :
Six pastel paintings.
Two portraits in oil.
- W. C. Feleh, Sacramento :
Landscape in oil.
- P. Kennedy, Sacramento :
Two landscapes in oil.
- Mrs. George W. Chesley, Sacramento :
Three oil paintings.
- Miss Alice N. Cully, Sacramento :
One fuschia picture.
- Miss C. A. Templeton, Sacramento :
Pencil portrait.
- H. S. Beals, Sacramento :
One photograph, retouched, life size.
Two frames card pictures.
One picture of deceased child.
- W. Dickerman, Sacramento :
Four photographs, life size.
Two photographs, colored.
Eighteen photographs, small size.
Five photographs, small size, colored.
One frame card pictures.
- Mrs. Mark Hopkins, Sacramento :
Six bouquets.
- D. De Bernarde :
Collection of bouquets.
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GOLD AND SILVER MINING.

There were entered for donation to the cabinet of the society, and for exhibition, specimens of gold and silver bearing rock from two hundred and ninety-five mining claims, which numbered more than three thousand samples of ores. The interest manifested in the department of minerals became absorbing to a great many visitors at the Fair, and this really was but a reflex of the public mind, because at no previous time since the discovery of the placers at Coloma, have the great mass of our people been so entirely absorbed in mining enterprises as at the present moment.

Fifteen years since, California was a sparsely settled country, with its few inhabitants dwelling near the sea coast, and engaged in the pursuit of stock growing. At that time Oregon had a few settlements of western pioneers engaged in the fur trade, and as a subordinate occupation, a

rude agriculture. British Columbia was a wilderness, penetrated only by the adventurous trapper; while the great inland central basin was just forming the nucleus of a community at Salt Lake City. A glance at a map of the North American Continent opens out to the sweep of the eye a region west of the Rocky Mountains, and tributary to the Pacific coast, of extent nearly equal to one third of the whole east of that great natural dividing ridge. This western part of the continent being remote from the centres of the civilized populations of the Eastern States and Europe, could not be expected to send to such far off localities any very considerable number of settlers, without there was something more than of an ordinary character to induce emigration. Here, however, in this unknown land, was found a genial climate, and that most wonderful magnetic talisman to arouse the spirit of avarice—rich mines of gold; and, as if touched by a magician's wand, the nations poured hitherward streams of fortune seekers. Nor was it long before that which rumor gave out concerning gold fields said to have been discovered from Darien to the hyperborean regions of the North, and inland to the centre of the continent, became confirmed as a fact.

Fifteen years, and what a change! California springing into full life at a bound, as Minerva from the brain of Jupiter, already has become the mother of two States, Oregon and Nevada, both wearing "golden crowns, and tripping into the Union on silver feet;" while Washington, Idaho, and Arizona, a trio of Territories, gemmed with the wealth of the Ophir of King Solomon, send back upon the maternal bosom testimonies of the thrift and enterprise of those new communities. Even British Columbia and some of the northwestern States of Mexico, acknowledge a filial debt to the Eureka State. Never in the march of population and civilization, was there anything to equal the settlement of the Pacific coast by the Anglo-Americans.

The grand inciting idea in this march of empire is gold, and were not the mines discovered in this great region of marvellous richness, this enormous movement of population and material means would long since have borne, as its legitimate fruits, disaster and ruin. What else than a reality in the asserted richness of her gold placers could have made the crusade from the Atlantic States to California, in eighteen hundred and forty-nine and eighteen hundred and fifty, other than a stupendous immolation of labor without reward? Would a new empire have sprung up on Frazer River, were not the sands on its icy shores rich in treasures of gold? Idaho would still have remained a howling wilderness, instead of becoming the field of a large and thrifty population, had there never taken place the "stampede" of fortune seekers from California to Salmon River. Is it to be supposed that Virginia would have become in three years the third or second city on the North Pacific coast, and rose as she has from the bleak sides of a desolate mountain, were there not self-sustaining realities in Washoe? Would twenty thousand people rush headlong towards the centre of the continent, just as the inhospitable season of winter sets in, were it not certain that Reese River has been gifted by the Great Giver with abundant riches? But why appeal to the multitude of croakers who in all other countries, as well as in California, have raised with dismal voice the predictions of failure from the beginning? Let them continue the unavailing cry that the public is crazy on the subject of gold and silver lodes.

It is true that in the early attempts at working quartz rock many failures occurred, which for years afterwards greatly discouraged investments in this kind of mining. It was then a matter of experiment with

most of those who had anything to do with it, as our people had been raised to totally different occupations from boyhood. The timid and dubious should reflect that quartz mining to-day is quite a different operation from the same kind of mining ten years since. Quartz mining in California never was a failure because there was not a remunerative amount of the precious metals in the rock. It was, in many instances, a failure, because the machinery and apparatus used for crushing and extracting the bullion was incapable of saving the gold and silver contained in the ore. Wonderful improvements have been introduced in quartz mining within the past three years, which effect so great a saving of the gold and silver contained in the crushed rock, that ores which before the introduction of the amalgamating pan process were considered valueless, now pay largely. Indeed, under the new process, most of the ledges worked years since, and abandoned because they could not be made to pay, are now being sought after, and are in most instances found to be very profitable. These new improvements, called amalgamating pans, which are used for amalgamating the quicksilver with the minute particles of silver and gold which float in the water, have been invented to meet the necessities of the silver discovery in Nevada Territory; and if California had gained nothing more by the opening of those rich mineral deposits, she has been enabled to avail of these invaluable inventions, which give value to her many otherwise worthless quartz ledges.

There are, doubtless, more than two hundred thousand well defined gold and silver bearing quartz ledges already discovered within the region of the Pacific lying east of Salt Lake, and between British Columbia and Mexico. Indeed, it is one of our greatest drawbacks that so large a number of persons should continue to prospect for new ledges, when there are already more in course of being prospected than can be advantageously worked by any population which will be available on this coast for centuries to come. A reference to the archives of the Secretary of State will give a list of several thousand mining companies which have filed certificates of incorporation with that officer. Should it become the intention of each of these incorporations to open their claims, and erect mills for working the ores, it may be readily seen what an enormous capital would be required to put them in a complete working condition.

The mere locating a mining claim, filing articles of incorporation, and issuing certificates of stock, creates no wealth. Every mine is practically valueless until its ore is crushed, and the precious metals it contains are in a condition to meet commercial exchanges. This obvious fact seems to be lost sight of entirely too much by our eager, restless population, who seem determined to look the entire continent over for outcroppings before entering into the real labors of mining.

In view of the growing importance of the mining interest on this coast, the Secretary, with the concurrence of the Board, on the twenty-ninth of July last, issued the following circular, and sent it to every mining locality in the State and surrounding Territories, and the following exhibit of minerals is the result:

[Circular.]

ROOMS OF CALIFORNIA STATE AGRICULTURAL SOCIETY, }
Sacramento, July 29th, 1863. }

DEAR SIR:—The unprecedented development of mineral wealth on the Pacific Coast within the last year is one of the wonders of the age, and bids fair to revolutionize the material and commer-

cial interests of the world. Yet we all feel that there is something wanting—a demand to be supplied, in order to give to this great industrial pursuit, both at home and abroad, that character of reality, of permanence, and stability which its real merits deserve. The State Board of Agriculture, desiring to supply, in part, this desideratum, are making an effort to collect together specimens from all parts of the coast, and build up at their rooms a Cabinet of Minerals worthy of the richest mineral district on the globe, and which shall be to the capitalist and to the laborer a tangible advertisement, and a real sample of our unequalled mineral wealth, and of the rare opportunities of permanent and profitable investment, and certain and bountiful reward of labor.

You will see at once that this is an undertaking in which every industrial pursuit, and every individual resident on this coast is interested, and hence, with a confidence that you will cheerfully respond, we call on you and invite you to contribute to the success of the enterprise by forwarding to the undersigned, in time for the ensuing State Fair, September twenty-fifth, such specimens from your mines, or from any mines in your locality, as will best illustrate the character of such mines.

Please forward, with such specimens, a statement of the location, extent, probable or positive yield, and any other important facts connected therewith; also the name of the individual or company owning the same, and whether donated to the society, or contributed for exhibition at the Fair only. When received they shall be neatly labelled with the name of the individual or company donating or contributing the same and other facts forwarded, and carefully preserved for the examination of the curious, the scientific, or speculative, now and hereafter.

All specimens may be forwarded through Wells, Fargo & Company, or other express companies, from any portion of this coast, as arrangements have been made with them, and the different stage companies, and the Steam Navigation Company, for their conveyance free of cost.

Respectfully, your obedient servant,

I. N. HOAG, Secretary.

ENTRY OF GOLD AND SILVER MINERALS.

Hakendorn Mine, Silver Mountain, Calaveras County:

Specimens of silver ore.

Isabell Mine, Garden Valley, El Dorado County:

Ledge four feet wide on surface, and ten feet wide at a depth of thirty feet; ledge crops out one thousand two hundred feet in length.

Specimens contributed by P. G. Isabell.

Peach Bottom Ledge, San Paz:

Assays six hundred dollars in silver to the ton.

Specimens contributed by James W. Cassenberry.

Mammoth Ledge, Shasta County:

Specimens contributed by B. M. Estere.

Empire Mine, near Grass Valley, Nevada County:

Ore pays, in gold, from twenty dollars to eighty dollars to the ton, at depths from twenty-five to four hundred feet.

Sacramento Company, Limekiln District, Nevada County—Miner Ledge:

Specimens of gold rock fifteen feet from surface.

Grass Valley Township, Nevada County:

Croppings from gold quartz.

Star Ledge, near Illinoistown, Placer County:

Specimen of gold bearing quartz.

North Star Ledge, Illinoistown, Placer County:

Specimens of gold bearing quartz.

Neptune Company, Squaw Valley, near Lake Tahoe:

Specimens of silver rock.

New York Ledge and Company, Slate Range, Tulare County:

Twenty-seven pounds rock assays twenty-eight grains of gold and silver.

Specimens donated by E. D. Wheatly.

- Morrow Ledge, Slate Range Mining Company, Tulare County :
 Assays, in gold and silver, two thousand eight hundred and twenty-seven dollars to the ton.
 Specimens donated by E. D. Wheatly.
- Francis Mining Company, Slate Range, Tulare County :
 Assays, in gold and silver, three thousand one hundred and thirty-five dollars to the ton.
 Specimens donated by E. D. Wheatley.
- Albany Mining Company, Slate Range, Tulare County :
 Two hundred and eighty pounds of rock gave forty-three dollars and eighty cents—nearly all of silver.
- Rochester Mining Company, Slate Range, Tulare County :
 Working assay—twenty pounds of rock gave twenty grains of gold and silver.
 Specimens donated by E. D. Wheatly.
- Catarangus Mining Company, Slate Range, Tulare County :
 Twenty-five and one half pounds of rock gave ninety-seven grains—nearly all of gold.
 Specimens donated by E. D. Wheatly.
- San Francisco Lode Company, Slate Range, Tulare County :
 Specimens donated by E. D. Wheatly.
- Philadelphia Mining Company, Slate Range, Tulare County :
 Twenty-four pounds rock gave forty-three grains gold and silver.
- I X L Lode, Silver Mountain, Amador County :
 Specimens silver ore.
- Volcano, Amador County :
 Specimens of gold and silver quartz.
 Assays five hundred dollars to eight hundred dollars to the ton.
 Specimens contributed by C. C. Belding.
- Spanish Mine, Coloma Road, El Dorado County :
 Specimens of gold, silver, and copper ; rock taken five feet below the surface.
- Minerva, Esmeralda District, Mono County :
 Specimens contributed by Francis Garesche.
- Antelope Lode, Silver Hill, Esmeralda District, Mono County :
 Specimens three hundred feet from surface assays three thousand dollars to the ton.
 Specimens contributed by Francis Garesche.
- Western Summit Quartz Lode, Last Chance Hill, Esmeralda District :
 Assays two thousand dollars to the ton.
 Specimens contributed by Francis Garesche.
- Crockett Lode, Last Chance Hill, Esmeralda District :
 Specimens contributed by Francis Garesche.

Aurora Lode, (Real del Monte Consolidation,) Last Chance Hill, Esmeralda District :

Specimens from a depth of eighty feet assay one thousand six hundred dollars to the ton.

Contributed by Francis Garesche.

Clan Alpine Ledge, Esmeralda District, Aurora :

Specimens contributed by Francis Garesche.

Wide West, Esmeralda District :

Specimens of silver rock.

Specimens contributed by Francis Garesche.

Wide West, Esmeralda District :

Specimens of gold bearing quartz.

Specimens contributed by Francis Garesche.

Rover Lode, Silver Hill, Aurora :

Specimens contributed by Francis Garesche.

Mina Rica, Middle Hill, Aurora :

Specimens contributed by Francis Garesche.

Stone Wall, Dix Knoll, Esmeralda :

Specimens contributed by Francis Garesche.

Bright Star, Middle Hill, Esmeralda :

Specimens contributed by Francis Garesche.

Seymour Lode, Last Chance Hill, Esmeralda :

Specimens contributed by Francis Garesche.

Moscow Lode, Last Chance Hill, Esmeralda District :

Specimens contributed by Francis Garesche.

Forbs Lode, Silver Hill, Aurora :

Specimens of gold and silver bearing rock.

Brazil Lode, Middle Hill, Esmeralda :

Specimens contributed by Francis Garesche

Pond Consolidation, Last Chance Hill, Esmeralda District :

Specimens contributed by Francis Garesche.

Garrione, Esmeralda :

Specimens from shaft thirty-five feet deep.

Specimens contributed by Francis Garesche.

Yancey Lode, Silver Hill, Esmeralda District :

Specimens contributed by Francis Garesche.

Davenport Lode, Silver Hill, Esmeralda District :

Specimens from shaft ten feet deep.

Specimens contributed by Francis Garesche.

Third Extension North Sonoma Hartley Ledge, Reese River District :

Specimens contributed by A. A. Bennett.

Yellow Jacket, Virginia District, Nevada Territory :

Specimens of gold and silver bearing quartz.

Empire Lead Number One, El Dorado County :

Specimens of gold bearing rock.

Specimens contributed by J. C. Tubbs.

Sister Series Ledges, Augusta District, Lander County, N. T.:

Specimens from ten ledges; rock assays two thousand three hundred dollars to the ton.

Specimens contributed by C. G. Going.

Bloomer Lode, Bloomer Hill, Butte County :

Specimens of gold quartz from shaft ten feet deep.

Specimens contributed by Joseph Young.

Kentucky Ledge, Trinity District, Humboldt County, Nevada Territory :

Specimens from ledge two and a half feet wide at surface.

Gem of the Sierras, Sierra District, Humboldt County, Nevada Territory :

Grand Trunk, Clear Creek District, Humboldt :

Specimens from ledge two feet deep and twelve feet wide.

Evening Star Ledge, Trinity District, Humboldt County, N. T.:

Specimens from ledge one foot deep and four feet wide.

St. Charles Ledge, Trinity District, Humboldt County, Nevada Territory :

Specimens from shaft eight feet deep and thirty-eight inches wide.

Little Giant, Santa Clara District, Humboldt County, Nevada Territory :

Specimens from shaft five feet deep and two feet wide.

Yosemite, Oro Fino District, Humboldt :

Specimens of gold and silver bearing rock.

Trinity Series Ledges, Trinity District, Humboldt County, N. T.:

Specimens from one foot deep and ledge one foot wide.

Pennsylvania Ledge, Trinity District, Humboldt County, N. T.:

Specimens from ledge three feet deep and fifteen inches wide.

Texas Ledge, Trinity District, Humboldt County, Nevada Territory :

Specimens from ledge two feet deep and six feet wide.

Kentucky Ledge, El Dorado District, Humboldt :

Specimens of gold and silver rock.

Monitor Ledge, Buena Vista District, Humboldt :

Specimens of gold and silver rock.

Tehama Series, Puebla District, Humboldt County, Nevada Territory.

Trinity Ledge, Star District, Humboldt.

Banner Ledge, El Dorado District, Humboldt.

Lady Franklin, El Dorado District, Humboldt.

Canada Ledge, Trinity District, Humboldt County, Nevada Territory :

Ledge two feet deep and eighteen inches wide.

Chloride Series, Pueblo District :

Specimens of gold and silver rock.

Fort Pitt Ledge, Prince Royal District, Humboldt
Shaft six feet deep.

Pueblo Series, Pueblo District, Humboldt County
Surface rock.

Æsop Lode, Prince Royal District, Humboldt.

Mark Antony Lode, Humboldt :
Shaft five feet deep.

Honey Lode, Prince Royal District, Humboldt :
Shaft four feet deep.

Queen Lode, Prince Royal District, Humboldt :
Surface rock.

Washington Lode, Prince Royal District, Humboldt :
Specimens from shaft one foot deep.

Newton Lode, Prince Royal District, Humboldt :
Shaft forty feet deep.

Silver Lode, Prince Royal District, Humboldt :
Shaft three feet deep.

Lincoln Lode, Prince Royal District, Humboldt :
Shaft three feet deep.

Webster Lode, Prince Royal District, Humboldt :
Surface rock.

Pennsylvania Ledge, Prince Royal District, Humboldt :
Shaft fifteen feet deep.

Pride of the West, El Dorado District, Humboldt.

Mount Vernon, El Dorado District, Humboldt.

Governor Nye, El Dorado District, Humboldt.

Quaker Ledge, El Dorado District, Humboldt.

El Dorado Ledge, El Dorado District, Humboldt.

Galena Ledge, El Dorado District, Humboldt.

Piedmont Ledge, El Dorado District, Humboldt.

Bajazette and Golden Era, Virginia, Nevada Territory :
Specimens from shaft sixty feet deep and forty feet wide.
Specimens contributed by H. T. Holmes.

Ethan Allen Ledge, Austin, Nevada Territory :
Specimens contributed by W. H. Clark.

Cicero Ledge, Austin, Nevada Territory :
Specimens contributed by W. H. Clark.

New El Dorado Mine, near Placerville, El Dorado County :
Shaft fifty-five feet deep; ledge sixty feet wide; claim three thousand six hundred feet long.
Specimens exhibited by F. A. Babcock.

- San Francisco Ledge, Santa Fé District, Reese River, Nevada Territory :
Assays three thousand two hundred dollars to the ton.
Specimens exhibited by G. Watt.
- Otho Ledge, Santa Fé District, Reese River, Nevada Territory :
Specimens exhibited by G. Watt.
- Clement Ledge, Santa Fé District, Reese River, Nevada Territory :
Specimens exhibited by G. Watt.
- King Ledge, Santa Fé District, Reese River, Nevada Territory :
Specimens exhibited by G. Watt.
- Lady Franklin Ledge, Silver Mountain, Amador County :
Specimens contributed by R. Dale.
- Wide West, Silver Mountain, Amador County :
Specimens contributed by R. Dale.
- Young Hero, Silver Mountain, Amador County :
Specimens contributed by R. Dale.
- Buckeye No. 1, Silver Mountain, Amador County :
Specimens contributed by R. Dale.
- Star of the West, Silver Mountain, Amador County :
Specimens contributed by R. Dale.
- Ophir Ledge, Virginia City, Nevada Territory :
Specimens contributed by R. Dale.
- Mexican Mine, Virginia City, Nevada Territory :
Specimens contributed by R. Dale.
- Savage Mine, Virginia City, Nevada Territory :
Specimens exhibited by Jerome C. Davis.
- Tellurium Gold and Silver Mining Company, Ione, Amador County ; from
the Kendall Ledge :
Assays from one hundred and fifty to five hundred dollars in gold,
and forty dollars in silver.
It takes its name from the metal tellurium being found in it in con-
siderable quantities.
Specimens donated by J. H. Bradley.
- W. D. Jones, Wolf Creek, Nevada County :
Specimens of gold and silver rock.
- Original Williams & Killenger Lode, Copper City, Shasta County :
Specimens of gold, silver, and copper.
Specimens contributed by George J. McKeon.
- Wilson Mine, Chening Tunnel, Esmeralda.
- Sacramento Lode, Rose Spring Hill, El Dorado County :
Free gold bearing quartz.
Specimens exhibited by T. M. Lindley.
- Collection of specimens from Humboldt County, Nevada Territory :
Specimens exhibited by John Coulter.

Williams & Killinger Mining Company, Shasta County :

Specimens of silver ore.

Specimens contributed by J. A. Hunt and A. C. Sweetzer.

Bloomer Hill Quartz Mining Company, Butte County :

Specimens of virgin gold.

Specimens exhibited by Joseph Young.

J. R. Nickerson, Placer County :

Specimens of gold and silver rock.

Station Gold and Silver Mining Company, Elses Creek, near Volcano, Amador County ; T. Serono, President ; L. M. Lane, Secretary ; incorporated August twenty-third, eighteen hundred and sixty-three.

Volcano Gold and Silver and Copper Mining Company, Slug Gulch, El Dorado County :

Assays in copper, thirty-eight per cent ; in silver, twenty-seven dollars and seventy-five cents per ton.

Specimens contributed by J. M. Patterson.

Middle Tunnel Company, Esmeralda District :

Eight foot ledge ; works fifty dollars per ton.

Silver King, Silver King District, East Carson River.

From a quartz ledge on the ranch of O. S. Witherby, thirty miles from San Diego, twelve miles from the coast :

Specimens contributed by O. S. Witherby.

Mammoth Ledge, Silver Mountain, Amador County :

Specimens contributed by R. Dale.

Alhambra, Silver Mountain :

Specimens contributed by R. Dale.

Montezuma Mine, North Fork of the Cosumnes River, eight miles from El Dorado, El Dorado County :

Shaft one hundred and forty feet deep, ledge four feet wide ; average working assays, twenty-two dollars to the ton.

Saratoga Company, near Sonora, Tuolumne County :

Specimens contributed by Chancellor Pettergrew.

L. L. Wilson exhibited twenty-nine specimens of silver ore, from the following mines : Tiger, Masonic, Sheba, Lander, Governor Potter, Morristown, Wallace, Monitor, Keokuk, Gould & Curry, Miami, Ferguson, and Wilson.

Rough and Ready Mining Company, Jamison Creek, Plumas County, exhibited a cabinet of gold bearing quartz, comprising over two thousand specimens.

G. F. Seely exhibited specimens of silver ore from the following mines in Lander County, Reese River, Nevada Territory : Manhattan, Cicero, Miami, North Star, Post Hole, Ellipse, Richmond, Leviathan, Sister Series, Sonoma, Little Giant, Marshall, Isabella, Oregon, Eclipse, Cræsus, Paul Jones, Mineral Point, Mountain, Lizzie, Hunchback, Eastern,

Neosho, San Francisco, J. J. Crittenden, Sinaloa, St. Louis, San Antonio, Clement, Mother of Ledges, Otho, Oro Fino, Mount Vernon, Cræsus Number Two, Revenue, Mountain Queen, Ben Franklin, Tipperara, Bathurst, Leach, Richland, Providential, Conet, Saratoga, Franklin, Rochester, Lightner, Davis, Mermaid, H. A. Douglass, Ogden, Uncle Sam, Arizona, Champagne, Willow, Alhambra, Gould & Curry, Silver Tender, Keystone, Abdalla, Vanderbilt, Partman, Sioux, Cherokee, Eureka, New Hope, Everett, General Meade, Fairview, Madison, Constitution, Phœbus, Ravenswood, Ethan Allen, Emigrant, Nelly Jacobs, Marrow, Florence, Montrose, Excelsior, Belmont, Florida, Auction, Lizzie, Manhattan, Savage, Yankee Blade, Whitlatch, Magnolia, Sachem, Seeley, Mineral Star, Augusta, Suspense, Nelly, Union, Wild Rover, Zora, Yellow Jacket, and Mammoth.

Garrity, Neely & Patten, Iowa Hill :

Specimens of gold bearing quartz.

Great Eastern, Shoshone County, Reese River :

Works one hundred dollars per ton.

Specimens contributed by B. B. Bee.

Manhattan Ledge, Reese River :

Samples of silver ore.

Seeley, Reese River, Lander County, Nevada Territory, exhibited specimens of silver ore from the following ledges : St. Nicholas, Oregon, Manhattan, Florida, Ashtabula, Union Number Two, Harding & Dirkman, Morgan & Munson, Seely, Sister Series, Monitor, Isabella, Marshall, New Hope, Ethan Allen, Magnolia, Blue Ledge, Tesoro, James River, Western Oregon, San Miguel, Governor Morton, Tom Benton, Beard & Seaver, Marengo, Lucretia, Florence, Fairview, Excelsior Ledge, Benjamin Franklin, J. J. Crittenden, Antimony, Otho, (eighty feet wide,) Diamond, Lemanthe, Smoky Valley, Mammoth, Yellow Jacket, Reese River, State, and Magnolia.

Belecher, Gold Hill, Nevada Territory :

Gold and silver quartz, three specimens.

Specimens donated by the company.

Potosi, Virginia District, Nevada Territory :

Two specimens.

Specimens donated by the company.

Gould & Curry, Virginia, Nevada Territory :

Six specimens gold and silver quartz.

Three specimens gold and silver from surface rock.

Gold Hill Proper, Gold District :

Sixteen specimens gold and silver.

Specimens donated by Coover & Stevenson.

Burning Moscow, Gold Hill :

Twelve specimens gold and silver quartz.

Specimens donated by the company.

Uncle Sam, Gold Hill District, Nevada Territory :

Twenty-three specimens gold and silver bearing quartz.

Specimens donated by the company.

Mexican or Spanish, Virginia, Nevada Territory :

Twelve specimens gold and silver quartz, most of them from about fifteen feet below the surface.

Specimens donated by the company.

La Platona, Gold Hill District :

Five specimens gold and silver rock.

Specimens donated by the company.

Pride of the West, Silver City District :

Five specimens croppings.

Real Del Monte, Palmyra District :

Four specimens gold and silver quartz.

Specimens donated by the company.

Orizaba Number One :

Five specimens gold and silver.

Specimens donated by the company.

Tecumseh, Palmyra District :

One specimen gold and silver ; donated.

Orizaba Number Two :

Three specimens gold and silver ore ; donated.

Weldon, Palmyra District, Nevada Territory :

One specimen gold and silver.

Whitman, three miles from Como, Nevada Territory :

One specimen silver ore.

Jesse, Palmyra District :

Specimen of gold ore.

Constitution Ledge, Palmyra District :

Four specimens gold and silver.

Silver King :

Specimen of gold and silver quartz.

Specimen donated by L. B. Harris.

Dios Padre Gold and Silver Mining Company, Alamos, Mexico :

Three specimens silver bearing rock.

Specimens donated by T. A. Talbert.

ENTRY OF LEAD, TIN, AND OTHER ORES.

Denver Quicksilver Mine, Sonoma County :

Samples of cinnabar rock.

From near Geysers, Sonoma County :

Volcanic formation of cinnabar.

Specimens contributed by A. C. Sweetzer.

Aurora, Mono County :

Specimens of soap stone.

Specimens contributed by George F. Long.

Cumberland District, Esmeralda County, Nevada Territory :

Vein three feet thick, dip thirty degrees west, course nearly northeast by southwest. There are large numbers of veins within an area of two miles square; formation, sandstone, slate, and gypsum; specimens thirty feet from the surface; distance from Aurora, sixteen miles.

Specimens of coal.

Rough Creek, Esmeralda County :

Vein twenty-three feet thick; course nearly northeast by southwest. There are two other veins within the distance of half a mile of the coal field. The vein outcrops to a height of five hundred feet above the bed of the creek; distance to Aurora, thirteen miles.

Specimens of iron.

Esmeralda County :

Specimens of gypsum.

Kundler's Quarry, Esmeralda County ;

Specimens of building stone.

Specimens contributed by F. Garesche.

Hank Schram Lode :

Specimens of tin.

Fifteen miles from Aurora, near Mono Lake.

Specimens contributed by F. Garesche.

Volcanic rock, taken from the waters of Steamboat Springs, Nevada Territory.

Specimens contributed by Mrs. L. Frinck.

Cow Creek Silver Mines, Shasta County :

Specimens of silver and lead ore.

Specimens donated by M. D. Raum.

Cement rock, from the Benecia Cement Company.

Apache Chief Mine, La Paz, Arizona :

Specimens of native silver and copper.

Specimens contributed by Alonzo Margison.

American River, Placer County :

Specimens of alum.

Specimens contributed by H. A. Dana.

Galena District, Nevada Territory :

Specimens of lead ore.

Humboldt, Nevada Territory :

Specimens of sulphur.

COPPER MINING IN CALIFORNIA.

It was known before the gold discovery that there were mines of copper ores in some portions of the State, but until a very recent period it has never been suspected that mines of this metal were distributed all over the

country in such numbers and richness as to make the labor of raising and shipping the ores a lucrative business. Not only is it already a lucrative business, but after only three years of prospecting there have been many mines opened which have been sufficiently developed to establish their marvellous richness. Copper mining in our State has proved to be a branch of industry in which persons with limited means have been enabled to engage with flattering prospects of success, because the ores are found sufficiently rich to pay for shipment at a trifling distance below the surface; hence there need be only a small outlay of labor or capital before receiving returns by the sales of ores at San Francisco. It is reasonable to expect that in the course of the next year copper will comprise a very large item among the shipments of the metals from the Pacific coast.

There were fifty-four copper mining companies represented at this year's Fair, with a great variety of ores, and it is under, rather than over, the true number to state that there are already not less than three thousand copper claims recorded in the State. To open and work these mines to advantage requires a greater supply of labor than is now available, and cheaper transportation to tide water. The discoveries in this one interest during the past year are of sufficient magnitude to render the future of California what its most hopeful citizens could desire. Up to this time our copper miners have been obliged to ship their ores abroad for smelting, and as it is well known that most of these ores are rich in silver, and gold, and other mineral substances, their full value is not secured by those owning the mines. The time, however, is rapidly approaching when our copper miners will club together to erect works in California, or in the East, where fuel and labor is cheaper, so that by owning the works the proprietors of each mine will be able to obtain the results of an honest assay of their ores. Smelting works have been erected at Antioch, a very accessible point near the junction of the Sacramento and San Joaquin Rivers, for the partial reduction of ores; but these works are not intended to accomplish what is the great need—the separation and saving of all the valuable metals contained in the rock. When this shall have been done, there is little doubt but that our copper mines will yield marvellous returns on the capital invested in their development.

ENTRY OF SPECIMENS OF COPPER ORE.

Bull Run Copper Mining District, Calaveras County :

Specimens of ores taken from the ledge one hundred and fifty feet below the surface.

Higby & Company's Mine, Calaveras County :

Specimens from shaft fifty feet deep on side of ledge.

Copper Hill, Campo Seco District, Calaveras County :

Specimens from the surface of the ledge, and from a depth of two hundred feet. This claim is on the same lead as the Lancha Plana.

Prospect Mining Company, Calaveras County :

Specimens of surface ore.

Specimens contributed by J. B. McGilvery.

Campo Seco Mine, Calaveras County :

Specimens seventeen feet from the surface.

Massachusetts Mine, Calaveras County :

Specimens of croppings.

Copperopolis :

Specimens of ores.

Sailor Mine, Calaveras County :

Specimens of ores.

Specimens contributed by J. B. McGilvery.

Forty-Nine and Jefferson Mine, Calaveras County :

Croppings, and specimens from ledge at twenty feet deep.

Hawes & Company's Mine, Calaveras County :

Thirteen specimens taken from the south-west part of the copper belt.

Specimens contributed by J. B. McGilvery.

Campo Seco Mine, Calaveras County :

Seven samples of ores, taken from the surface to a depth of fifty feet.

Star of the West Lode Company, Blue Mountain District :

Specimens of croppings.

Cosumnes Mine, Sacramento County :

Specimens taken twenty, sixty, and eighty feet from the surface.

Specimens contributed by the company.

Eureka Mining Company, John Bull District :

Five samples at surface and from a depth of six feet.

Lancha Plana Mine, Amador County :

Eight samples, from croppings and to a depth of one hundred and seventy feet.

Newton Mine, Amador County :

Samples of ore at the surface, and from six points at a depth of one hundred and eighty feet.

Tear and Rip Mine, Bryant's Hotel, El Dorado County ; discovered by John G. Smith ; shaft forty-five feet deep ; ore twenty-eight per cent :

Specimens A, B, C, D, E, and F, from surface down.

Chasen & Company, Shasta County, East Fork of Clark Creek, twenty-seven miles north-west of Shasta :

Specimens of copper ore.

New Sigel Copper Mining Company, Slug Gulch, El Dorado County :

Specimens from surface, and to a depth of forty-five feet ; claim seven thousand two hundred feet long.

Specimens contributed by C. Heinrich.

Lebanon Mining Company, Garden Bar Mining District, Placer County :

Specimens fifty feet from the surface.

Ashby Stewart Mining Company, Garden Bar Mining District, Placer County :

Specimens of croppings.

- Pioneer Copper Mining Company, Clark Creek, near Uniontown, El Dorado County :
Samples thirty-nine feet from the surface ; assays thirty-four per cent of copper, and of gold three hundred and twenty-three dollars and seventy-six cents per ton.
Specimens contributed by J. H. Corliss.
- Camp & McNulty, Hog Hill District.
Specimens.
- Keystone Mine, Copperopolis, Calaveras County :
Specimens.
- Kentucky Mine, Salt Spring Valley, four miles northwest of Copperopolis :
Specimens.
- Empire Mine, Copperopolis :
Specimens.
- Crocket Mine, three miles northwest of Copperopolis :
Specimens.
- Suffolk Mine, Wechawken District, ten miles northwest of Copperopolis :
Specimens.
- Table Mountain, four miles southeast of Copperopolis :
Specimens.
- Superior Ledge, Light's Cañon, Plumas County ; incorporated August eighteenth, eighteen hundred and sixty-three :
Specimens, sixty per cent.
Specimens donated by John Bidwell.
- Cosmopolitan Ledge, Genessee Valley, Plumas County :
Specimens donated by John Bidwell.
- San Diego Company, Bidwell's Bar, Butte County :
Specimens of croppings.
Specimens donated by R. T. Van Norden.
- General Grant Copper Bottom Mining Company, Salmon Falls, El Dorado County, Ocean Township ; ledge discovered August ninth, eighteen hundred and sixty-three.
Samples of ore four hundred feet above the river bed and from the river bed.
- Uncle Abe Lead, one hundred feet east of the General Grant :
Samples of croppings.
Specimens contributed by the General Grant Company.
- Pure Copper Company :
Samples contributed by R. Dale.
- Well Copper Mining Company, Nevada County :
Samples of carbonates from surface, and ores from forty feet below.
Ledge thirty feet wide.

Bunker Hill Copper, and Gold, and Silver Mining Company, two miles from Greenwood, on the Sacramento Road, El Dorado County; width of lead two feet; discovered June tenth, eighteen hundred and sixty-three, by C. L. Rogers and M. Rumer; incorporated July, eighteen hundred and sixty-three; two thousand seven hundred feet in the claim:

Specimens from the surface and seven feet deep.

Samples donated by George E. Truman.

Last Chance Company, Nevada County:

Shaft fifty feet deep, with thirty per cent shipping ore.

Samples donated by J. M. Maguire, Manager and Trustee.

Diamond Lead, Del Norte County:

Samples from surface and forty feet deep.

Specimens contributed by F. Rabel.

Chaparral Lead, Boston Ranch, Amador County:

Samples from shaft fifty-five feet deep.

Specimens contributed by H. Waters.

Jane and Gilbert:

Samples from sixteen feet below surface; thirty-one per cent ore.

Specimens contributed by Mr. Wright.

Lingering Hope Company, Plumas County:

Samples contributed by B. F. Stewart.

Mogul Company, Ocean District, El Dorado County:

Specimens six feet below the surface.

Specimens contributed by E. C. Gilbert.

Exchange Copper Mining Company, Forest Home District, Amador County:

Samples from shaft thirty-three feet deep.

Specimens contributed by G. W. Donnelly.

Amador Lafayette Mining Company, Forest Home Mining District, Amador County:

Samples from shaft sixty-five feet deep.

Specimens contributed by G. W. Donnelly.

Enterprise Copper Mining Company, Placer County:

Samples contributed by Thomas S. Levy.

Gardiner Mining Company, Placer County:

Samples from surface to thirty feet deep.

Specimens contributed by T. S. Levy.

Wellington Mine, Placerville District, El Dorado County.

Specimens.

Roanoke Copper Mining Company, Illinoistown District, Placer County:

Five specimens of surface rock; ledge twelve to eighteen feet wide.

One specimen from Mundis Ledge, sixteen feet from surface.

Specimens donated by O. K. Levings.

Shepperd's, Nevada County:

One specimen copper ore.

Greer's, Nevada County :

Specimens.

Chollar, Nevada County :

One specimen copper ore.

Still House, Nevada County :

Two specimens copper ore.

Peavine Ranch Copper Ore, Nevada County :

Seven specimens copper ore.

One specimen bar copper.

Specimens donated by L. Lanszewert.

Barnard Ledge, Weaver District, Arizona :

Specimens donated by S. P. Taylor.

Blue Bell Ledge, Weaver District, Arizona :

Specimens donated by S. P. Taylor.

Byron, Weaver District, Arizona :

Specimens donated by S. P. Taylor.

PREMIUMS AWARDED 1863.

THOROUGHbred STALLIONS.

Exhibitor.	Residence.	Animal.	Premium.
John Hall.....	Alameda.....	"Owen Dale," four years old and over.....	First, pitcher, \$50
Nathan Coombs.....	Napa.....	"Ashland," four years old and over.....	Second, goblet, \$20.....
Nathan Coombs.....	Napa.....	"Montezuma," three years old and over.....	First, goblet, \$30.....
John Hall.....	Alameda.....	"California," three years old and over.....	Second, honorary diploma.....
J. C. Davis.....	Yolo.....	"M. S. Latham," one year old and over.....	First, goblet, \$15.....
J. R. Redman.....	Marin.....	"Knight St. Patrick," under one year.....	First, cup, \$10

THOROUGHbred MARES.

J. R. Redman	Marin.....	"Fairy Queen" and colt, four years old and over.....	First, pitcher, \$40.....
J. C. Davis.....	Yolo	"Rose Clifton" and colt, four years old and over.....	Second, pair goblets, \$20
John Hall.....	Alameda.....	"Esperanza," three years old and over.....	First, ice bowl, \$30.....
Nathan Coombs.....	Napa.....	"Fanny Bryer," three years old and over.....	Second, honorary diploma.....

GRADED STALLIONS.

Nathan Coombs.....	Napa.....	"Davy Crockett," four years old and over.....	First, pair goblets, \$40... ..
B. Cahoon....	Sacramento....	"Garibaldi," four years old and over.....	Second, honorary diploma....
Wm. Ledgerwood ...	Solano.....	"Patrick Cheatham," three years old and over.	First, pair goblets, \$20.....

Exhibitor.	Residence.	Animal.	Premium.
J. B. Harbin	Yolo.....	"Tiger Whip," three years old and over.....	Second, honorary diploma.....
Mike Bryte.....	Yolo.....	"Nick," two years old and over.....	First, goblet, \$15.....
V. Barnes.....	Yolo	"Sea Breeze," one year old and over.....	First, cup, \$10.....
Mike Bryte.....	Yolo.....	"No Name," one year old and over.....	Second, agricultural paper.....

GRADED MARES.

J. A. Price	Yolo.....	"Lizzie Dale," four years old and over.....	First, pair goblets, \$30... ..
Mike Bryte.....	Yolo.....	"Annie," four years old and over.....	Second, honorary diploma.....
D. H. Trinder.....	Yolo.....	"Annie Richards," three years old and over....	First, goblet, \$15.....
D. H. Trinder.....	Yolo.....	"Fanny Cheatham," two years old and over.....	First, cup, \$10.....
B. Cahoon.....	Sacramento....	"Fanny M. Kimble," two years old and over....	Second, honorary diploma.....

HORSES OF ALL WORK—STALLIONS.

J. G. McCracken....	Sacramento....	"David Hill," four years old and over.....	First, pair goblets, \$40.....
D. B. Sutton.....	Yolo.....	"Robert Dale Owen," four years old and over.....	Second, honorary diploma.....
M. Sprague.....	Sacramento....	"Abe Lincoln," three years old and over.....	First, pair goblets, \$20.....
C. W. Fairchild.....	Amador.....	"Black Hawk," three years old and over.....	Second, honorary diploma.....
A. F. Smith	Sacramento....	"Prince Albert," two years old and over.....	First, goblet, \$15.....
Benjamin Tibbits....	Sacramento....	"Eclipse," one year old and over.....	First, cup, \$10.....

MARES OF ALL WORK.

C. F. Reed	Yolo.....	"Amanda Wallace," four years old and over.....	First, pair goblets, \$30.....
Joseph Banquier....	Sacramento....	"Dolly," four years old and over.....	Second, honorary diploma.....
C. F. Reed	Yolo.....	"Sally Miller," one year old and over.....	First, framed diploma.....

DRAFT HORSES.

S. Daniels.....	Sonoma.....	"California Chief," four years old and over.....	First, goblet, \$30.....
R. S. Cary	Yolo.....	"Young Gilbert," four years old and over.....	Second, honorary diploma.....

Exhibitor.	Residence.	Animal.	Premium.
J. Sutherland.....	Amador.....	"Blucher," three years old and over.....	First, goblet, \$15.....
David Dodd.....	Placer.....	"Young Wallace," three years old and over.....	Second, honorary diploma.....
H. Wilson.....	Sonoma.....	"Young America," two years old and over.....	First, cup, \$10.....

DRAFT MARES.

Wm. Ledgerwood ...	Solano.....	"Puss Goldfinder," four years old and over.....	First, goblet, \$15.....
C. F. Reed	Yolo.....	"Empress," four years old and over.....	Second, framed diploma.....

ROADSTER STALLIONS.

E. M. Skaggs.....	Sacramento...	"Rattler, Jr.," four years old and over.....	First, pair goblets, \$40
C. F. Reed	Yolo.....	"Black Eagle," four years old and over.....	Second, honorary diploma.....
J. D. Osborn.....	Sacramento...	"Peacock," three years old and over.....	First, pair goblets, \$20.....
William Allen... ..	Solano.....	"Young Chrysopolis," three years old and over.....	Second, honorary diploma.....
Ed. St. Louis.....	Yolo.....	"Red Bird," two years old and over.....	First, goblet, \$15.....
J. C. Davis.....	Yolo.....	"Jenny Clifton," two years old and over.....	Second, agricultural paper....
Nathan Coombs.....	Napa	"Tarantula," one year old and over.....	First, cup, \$10.....

ROADSTER MARES.

Ed. St. Louis.....	Yolo.....	"Fanny" and colt, four years old and over.....	First, pair goblets, \$30.....
J. C. Davis.....	Yolo.....	"Lady Woolfskill," four years old and over.....	Second, honorary diploma.....
James Haworth	Marysville	"Lady Dillon," three years old and over.....	First, goblet, \$15.....
J. C. Davis.....	Yolo.....	"Lady Clifton," three years old and over.....	Second, honorary diploma.....
J. C. Davis.....	Yolo.....	"Lady Woolfskill, Jr.," two years old and over.....	First, cup, \$10.....
J. C. Davis.....	Yolo.....	"Chuckahilo," two years old and over.....	Second, honorary diploma.....
Joseph Labusier.....	Yolo.....	"Katy Hawkins," one year old	Framed diploma

CARRIAGE AND SADDLE HORSES.

Exhibitor.	Residence.	Animal.	Premium.
Thomas Maguire.....	San Francisco	"Abby Woods" and "Lady Utly," carriage.....	First, goblet, \$20.....
Capt. J. Whitney....	San Francisco	Gray team, carriage.....	Second, honorary diploma.....
Thomas Maguire.....	San Francisco	"Abby Woods," single carriage.....	First, \$20.....
B. E. Harris.....	Sacramento....	"Jack Clifford," single carriage.....	Second, framed diploma.....
J. M. Hubbard.....	Sacramento....	"Dusty Bill," in saddle.....	First, goblet, \$20.....
B. E. Harris.....	Sacramento....	"Jake," in saddle.....	Second, framed diploma.....

SWEEPSTAKES—HORSES.

C. F. Reed.....	Yolo.....	"Black Eagle" and family....	First, pitcher, \$50.....
C. F. Reed.....	Yolo.....	"Empress," best mare.....	First, goblet, \$20.....
D. B. Sutton.....	Yolo.....	"Robert Dale Owen," best stallion	First, pitcher, \$40.....

JACKS AND MULES.

J. C. Davis.....	Yolo.....	"Black Warrior," jack.....	First, goblet, \$20.....
R. Y. McElroy.....	Yolo.....	"Stephen A. Douglas," jack.....	Second, honorary diploma.....
Thomas Edwards....	Sacramento....	"Lady Franklin," jenny, one year old.....	First, goblet, \$15.....
Thomas Edwards....	Sacramento....	"Lady Washington," jenny, four years old.....	Second, agricultural paper.....

PURSES FOR SPEED.

Exhibitor.	Residence.	Name of Horse.	Character of Race.	Premium
C. H. Shears.....	San Francisco.	"Alicia Mandeville"....	Trotting Race.....	\$75 00
B. E. Harris.....	Sacramento....	"Tony Oaks".....	Mile heats, 2 in 3, trotting	100 00
C. H. Burger.....	Sonoma.....	"Pilot Boy"....	Mile heats, 2 in 3, running	100 00
John Kelly	San Francisco.	"Fanny Lent".....	Mile heats, 3 in 5, trotting	50 00
H. R. Covey.....	San Francisco.	"Jim Barton".....	Mile heats, 3 in 5, trotting	Pr. gob's \$200 00
Vincent Barnes	Yolo County..	"Didapper".....	Mile heats, 2 in 3, running	50 00
Wm. B. Campbell ..	Butte County..	"Young Lightning" ..	Mile heats, 2 in 3, pacing..	200 00
James Merritt.....	.....	.....	2-mile heats, 2 in 3, running	300 00
J. L. Eoff.....	San Francisco.	"Honest Anee".....	2-mile heats, 2 in 3, trotting	300 00
J. Sessions.....	San Francisco.	.....	1 mile, trotting	100 00
S. Card.....	San Francisco.	.....	Double team.....	300 00

SHORT HORN BULLS.

Exhibitor.	Residence.	Animal.	Premium.
Thomas Bedford..	Colusa.....	"Shasta," four years old and over.....	First, pitcher, \$40.....
Torry & Fagan	Napa.....	"Herald the Sixth," four years old and over.....	Second, goblet, \$20.....
J. D. Patterson	Alameda.....	"Duke of Airdrie," three years old and over.....	First, pair goblets, \$30.....
Clark & Cox.....	Placer.....	"George," three years old and over.....	Second, honorary diploma.....
Milton Dale..	Yolo.....	Calf, under one year old.....	First, cup, \$10.....

SHORT HORN COWS.

Milton Dale..	Yolo.....	"Mary Jane," four years old and over.....	First, cup, \$25.....
J. C. Davis.....	Yolo.....	"Bracelet," four years old and over.....	Second, honorary diploma.....
J. C. Davis.....	Yolo.....	"Alice," two years old and over.....	First, cup, \$15.....
J. C. Davis	Yolo.....	"Annie Stevenson," 1 year old and over.....	First, goblet, \$10.....
J. C. Davis.....	Yolo..	"Clara," one year old and over.....	Second, agricultural paper.....

DEVONSHIRE BULLS.

S. Daniels.....	Sonoma.....	"Medoc," four years old and over.....	First, pitcher, \$40.....
S. Daniels.....	Sonoma.....	"Pacific," three years old and over.....	First, goblet, \$30.....
S. Daniels.....	Sonoma.....	"Oakland," one year old and over.....	First, goblet, \$20.....
S. Daniels.....	Sonoma.....	"McClellan," one year old and over.....	Second, honorary diploma.....

DEVONSHIRE COWS.

S. Daniels.....	Sonoma.....	"Lassie," four years old and over.....	First, cup, \$25.....
S. Daniels.....	Sonoma.....	"Fashion," four years old and over.....	Second, honorary diploma.....
S. Daniels.....	Sonoma.....	"May Queen," three years old and over.....	First, cup, \$20.....
S. Daniels.....	Sonoma.....	"Beauty," three years old and over.....	Second, honorary diploma.....
S. Daniels.....	Sonoma.....	"Maud," two years old and over.....	First, cup, \$15.....
S. Daniels.....	Sonoma.....	"Lassie, Jr.," one year old and over.....	First, goblet, \$10.....
S. Daniels.....	Sonoma.....	"Fashion, Jr.," one year old and over.....	Second, agricultural paper.....

ALDERNEY BULLS AND COWS.

Exhibitor.	Residence.	Animal.	Premium.
J. D. Patterson.....	Alameda.....	"Albert," three years old and over.....	First, pitcher, \$40.....
J. D. Patterson.....	Alameda.....	Calf, less than one year old....	Goblet, \$10.....
J. D. Patterson.....	Alameda.....	"Diana," three years old and over.....	First, cup, \$20.....

AYRSHIRE BULLS AND COWS.

S. Daniels.....	Sonoma.....	"Walter," four years old and over.....	First, pitcher, \$40.....
S. Daniels.....	Sonoma.....	"Nena," three years old and over.....	First, cup, \$20.....

SWEEPSTAKES—CATTLE.

S. Daniels.....	Sonoma.....	Best herd, one bull and five cows, Devons.....	First, pitcher, \$50.....
S. Daniels.....	Sonoma.....	Best herd, six animals, California dropped.....	First, goblet, \$40.....
Thos. Bedford.....	Colusa.....	Best bull, "Shasta," any age..	First, goblet, \$40.....
Milton Dale.....	Yolo.....	Best cow, "Mary Jane," any age.....	First, goblet, \$40.....

GRADED BULLS.

J. C. Davis.....	Yolo.....	"Joe,"	First, goblet, \$25.....
J. C. Davis.....	Yolo.....	"Red Jacket".....	Second, honorary diploma.....
J. C. Davis.....	Yolo.....	White Bull, one year and over	First, goblet, \$10.....
J. C. Davis.....	Yolo.....	Roan Bull, one year and over..	Second, honorary diploma.....

GRADED COWS.

Milton Dale.....	Yolo.....	"Verona," four years old and over.....	First, goblet, \$20.....
J. C. Davis.....	Yolo.....	"Lilly," four years old and over.....	Second, honorary diploma.....
Milton Dale.....	Yolo.....	"Loland," less than one year old	Second, agricultural paper.....
J. C. Davis.....	Yolo.....	"Snow Ball," three years old and over.....	First, goblet, \$15.....
Milton Dale.....	Yolo.....	"Dixie," one year old and over.....	First, goblet, \$10.....
J. C. Davis.....	Yolo.....	"Mary," one year old and over.....	Second, honorary diploma.....
Milton Dale.....	Yolo.....	"Rosa," two years old and over.....	First, goblet, \$10.....
J. C. Davis.....	Yolo.....	"Julia" and calf, two years old and over.....	Second, honorary diploma.....

SPANISH MERINO BUCKS.

Exhibitor.	Residence.	Animal.	Premium.
J. D. Patterson	Alameda.....	Buck	First, goblet, \$20.....
Bachelder & Cotter.	Sacramento....	Buck.....	Second, honorary diploma.....
McConnell & Curtis	Sacramento....	Buck one year old.....	First, cup, \$10.....
McConnell & Curtis	Sacramento....	Buck one year old.....	Second, honorary diploma.....
McConnell & Curtis	Sacramento....	Three buck lambs.....	First, framed diploma.....
Bachelder & Cotter.	Sacramento....	One buck lamb.....	First, framed diploma.....

SPANISH MERINO EWES.

J. B. Hoyt	Solano.	Five ewes two years old and over.....	First, goblet, \$15.....
J. B. Hoyt	Solano.....	Five ewes one year old and over.....	First, framed diploma.....
J. B. Hoyt	Solano.....	Five ewe lambs.....	First, framed diploma.....

FRENCH MERINO BUCKS.

J. D. Patterson	Alameda.....	Buck two years old and over..	First, goblet, \$20.....
J. D. Patterson.....	Alameda.....	Buck two years old and over..	Second, framed diploma.....

SOUTHDOWN BUCKS.

J. D. Patterson	Alameda.....	Buck two years old and over..	First, goblet, \$20.....
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LEICESTERSHIRE EWES.

J. C. Davis.....	Yolo	Five ewes two years old and over.....	First, goblet, \$15.....
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SWINE—CROSS BREEDS.

Thomas Edwards....	Sacramento....	Best boar, one year old and over.....	Framed diploma.....
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SWEEPSTAKES—SWINE.

J. S. Curtis.....	Yolo	Best sow.....	Cup, \$10.....
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POULTRY.

Exhibitor.	Residence.	Article.	Premium.
R. Thompson.....	Placer.....	Best exhibit Black Spanish....	Agricultural paper.....
Maurice E. Hoag....	.....	Best exhibit Sumatra.....	Brown's American Poultry Yard.....
H. S. Beals.....	.....	Best exhibit Japanese.....	First, agricultural paper.....

VEGETABLES.

Geo. E. Coggsball...	Sacramento....	Best Irish potatoes ..	Agricultural paper.....
Geo. E. Coggsball...	Sacramento....	Best watermelons.....	Agricultural paper.....
Geo. E. Coggsball...	Sacramento....	Best muskmelons..	Agricultural paper.....
Geo. E. Coggsball...	Sacramento....	Best egg plant.....	Agricultural paper.....
Geo. E. Coggsball...	Sacramento....	Best turnips.....	Agricultural paper.....
C. G. Hidden.....	Sacramento....	Best squashes.....	Agricultural paper.....
P. Nolan.....	Sacramento....	Best onions.....	Agricultural paper.....
Thomas Edwards....	Sacramento....	Best carrots ..	Agricultural paper.....
E. Pierce.....	Sacramento....	Best corn.....	Agricultural paper.....
J. S. Curtis.....	Yolo.....	Best peanuts.....	Agricultural paper.....
D. Megowan.....	Yolo.....	Best cabbage.....	Agricultural paper.....
D. Megowan.....	Yolo.....	Best tomatoes.....	Agricultural paper.....
D. Megowan.....	Yolo.....	Best beets ..	Agricultural paper.....
J. R. Nickerson.....	Placer.....	Best sweet potatoes.....	Agricultural paper.....

HOME WORK.

B. N. Bugbey.....	Folsom.....	Best exhibit raisins.....	Honorary diploma.....
J. R. Nickerson.....	Placer.....	Second best exhibit raisins....	Agricultural paper.....
J. R. Nickerson.....	Placer.....	Best exhibit dried fruit	Napkin ring, \$5.....
Miss M. N. Crocker.	Sacramento....	Second best exhibit dried fruit	Napkin ring, \$4.....
Miss M. N. Crocker.	Sacramento....	Best exhibit jellies.....	Napkin ring, \$4.....
Miss M. N. Crocker.	Sacramento....	Best exhibit preserves..	Napkin ring, \$4.....
Mrs. N. L. Drew.....	Sacramento....	Best exhibit catsup.....	Napkin ring, \$4.....
A. Bergman.....	Sacramento....	Best exhibit pickles.....	Napkin ring, \$4.....
C. G. Hidden.....	Sacramento....	Best exhibit hops.....	Agricultural paper.....

GENERAL FARM PRODUCTS.

J. R. Nickerson.....	Placer.....	Best exhibit.....	Framed diploma
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MANUFACTURES.

Thomas Hansbrow..	Sacramento....	Best force pump.....	Framed diploma
J. L. Morrill.....	Sacramento....	Best lifting pump	Framed diploma
C. H. Harrison.....	San Francisco.	Best eccentric steam force and lifting pump.....	Creamer, \$20.....
T. McKim.....	Sacramento....	Best steam engine.....	Goblet, \$40.
Mrs. M. A. Ames....	Sacramento....	Best millinery	Cup, \$10.....
D. Norcross.....	San Francisco.	Best fringe.....	Framed diploma.....
D. Norcross.....	San Francisco.	Best regalia	Framed diploma.....

Exhibitor.	Residence.	Article.	Premium.
J. M. Griswold.....	Sacramento....	Unfermented bread.....	Napkin ring, \$1.....
Stockton & Coover..	Folsom.....	Best flour.....	Framed diploma.....
Stockton & Coover..	Folsom.....	Best corn meal.....	Framed diploma.....
E. M. Smith.....	Folsom.....	Best soda crackers.....	Framed diploma.....
J. R. Nickerson.....	Placer.....	Best buckwheat flour.....	Framed diploma.....
Thomas Varney.....	San Francisco..	Amalgamating pans.....	Goblet, \$15.....
E. Hughes.....	Santa Clara....	Eyeless mining pick.....	Framed diploma.....
E. Hughes.....	Santa Clara....	Safety blasting fuse.....	Framed diploma.....
A. Aitkin & Co.....	Sacramento....	Best marble monument.....	Goblet, \$20.....
A. Aitkin & Co.....	Sacramento....	Second best marble monument	Framed diploma.....
A. Aitkin & Co.....	Sacramento....	Best centre piece.....	Book.....
A. Aitkin & Co.....	Sacramento....	Best statuette.....	Book.....
A. Aitkin & Co.....	Sacramento....	Best exhibit in marble.....	Honorary diploma.....
I. Ireland.....	Sacramento....	Best brooms.....	Framed diploma.....
E. Moulthrop.....	Sacramento....	Best churn.....	Framed diploma.....
H. T. Graves.....	San Francisco..	Best wire work.....	Honorary diploma.....
H. T. Graves.....	San Francisco..	Best bird cages.....	Framed diploma.....
A. S. Halladie.....	San Francisco..	Best wire rope.....	Framed diploma.....
J. S. Harbison.....	Sacramento....	Best bee hive.....	Agricultural paper.....
H. Tubbs.....	San Francisco..	Best rope.....	Framed diploma.....
Kelly, Mott & Co..	Sacramento....	Best tin work.....	Framed diploma.....
A. Lamott.....	Sacramento....	Best hats.....	Framed diploma.....
Nash & Fogg.....	Stockton.....	Best boots and shoes.....	Framed diploma.....
F. Rabel.....	Sacramento....	Best leather.....	Framed diploma.....
Parker & Perry.....	Sacramento....	Best team harness.....	Framed diploma.....
Hiram Cook.....	Sacramento....	Best gentlemen's saddles.....	Framed diploma.....
Hiram Cook.....	Sacramento....	Best ladies' saddle.....	Framed diploma.....
J. B. Hoyt.....	Solano.....	Best wool.....	Framed diploma.....
C. F. Cook.....	San Francisco..	Best soap.....	Framed diploma.....
P. Franklin.....	Sacramento....	Best cigars.....	Framed diploma.....
J. R. Nickerson.....	Placer.....	Best bacon.....	Framed diploma.....
Mrs. E. F. Aikin.....	Sacramento....	Best butter.....	Spoons, \$10.....
Frink & Allsop.....	Sacramento....	Second best butter.....	Book.....
Frink & Allsop.....	Sacramento....	Best cheese.....	Spoons, \$10.....
B. H. Hoag.....	Napa.....	Best honey.....	Agricultural paper.....
J. S. Harbison.....	Sacramento....	Second best honey.....	Agricultural paper.....
J. Phillips.....	Sacramento....	Best confectionery.....	Framed diploma.....
R. K. Wick.....	Sacramento....	Best mining picks.....	Framed diploma.....

AGRICULTURAL IMPLEMENTS.

Baker & Hamilton..	Sacramento....	Best header.....	Goblet, \$20.....
W. H. Jackson.....	Sacramento....	Best windmill.....	Framed diploma.....
J. Dickerson.....	Sacramento....	Second best windmill.....	Agricultural paper.....
Cronkite & Beebe..	Sacramento....	Best gang plough.....	Goblet, \$15.....
W. B. Ready & Bro.	Sacramento....	Second best gang plough.....	Agricultural paper.....
George Kelton.....	Mokelumne....	Best harrow.....	Framed diploma.....
Cronkite & Beebe..	Sacramento....	Best plough.....	Framed diploma.....
Cronkite & Beebe..	Sacramento....	Best cultivator.....	Framed diploma.....
S. Stevens.....	Sacramento....	Best hay press.....	Framed diploma.....

CARRIAGES & WAGONS.

H. M. Bernard.....	Sacramento....	Best family carriage.....	Goblet, \$30.....
H. M. Bernard.....	Sacramento....	Best rockaway.....	Cup, \$20.....
H. M. Bernard.....	Sacramento....	Best top buggy.....	Cup, \$20.....
H. M. Bernard.....	Sacramento....	Best freight wagon.....	Goblet, \$20.....
H. M. Bernard.....	Sacramento....	Best exhibit.....	Honorary diploma.....

SILK COCOONS.

Exhibitor.	Residence.	Article.	Premium.
L. Provost.	San José.....	Best cocoons.....	Napkin rings, \$10.....

FURNITURE AND PIANOFORTES.

Goodwin & Co.....	Sacramento....	Best exhibit furniture	Honorary diploma.....
Frederick Zech.....	San Francisco.	Best pianoforte.....	Framed diploma

PHOTOGRAPHS AND PAINTINGS.

W. Dickerman.....	Sacramento....	Best life size photograph.....	Framed diploma
W. Dickerman.....	Sacramento....	Best small size photograph.....	Framed diploma
H. S. Beals.....	Sacramento....	Best photograph, re-touched India ink.....	Goblet, \$15.....
W. C. Felch.....	Sacramento....	Best landscape in oil.....	Goblets, \$30.....

MISCELLANEOUS.

Miss A. Smith.....	Marysville.....	Best leather work.....	Spoons, \$7 50
Mrs. Mary L. Foster	Sacramento....	Leather work.....	Napkin ring, \$5.....
M. J. W. Winans....	San Francisco	Best wax flowers.....	Napkin ring, \$7 50.....
Taylor & Bishop....	Sacramento....	Best penmanship.....	Framed diploma
Miss Emma Aveline	Folsom	Penmanship.	Book
Mrs. Julia Bayer....	Sacramento....	Best bead work.....	Spoons, \$7 50
J. Q. A. Warren.....	San Francisco	Best printing.....	Framed diploma

EMBROIDERY AND CROCHET.

Wilhelm Windmiller	Sacramento....	Best cotton embroidery	Napkin ring, \$5.....
Miss E. Spaulding..	Sacramento....	Cotton embroidery.....	Second, napkin ring, \$4
Miss Louisa Myers..	Sacramento....	Best worsted embroidery.....	Floral dictionary.....
Mrs. Julia Bayer....	Sacramento....	Worsted embroidery.....	Second, floral dictionary
Mrs. P. Cadue.....	Sacramento....	Best silk embroidery.....	Second, floral dictionary.....
D. Norcross.....	San Francisco	Best gold and silver embroidery	Framed diploma
Mrs. Julia Bayer....	Sacramento....	Best knitting.....	Floral dictionary
Mrs. W. Headinberg	Sacramento....	Best crochet work.....	Floral dictionary.. ..
Miss Jenny Dreman	Sacramento....	Best crochet of girl under four- teen years of age.....	Cup, \$10.....
Miss Mary E. Drew	Sacramento....	Second best crochet of girl un- der fourteen years of age....	Napkin ring, \$5.....

FRUIT.

GRAPES.

Exhibitor.	Residence.	Article.	Premium.
Samuel Rich.....	Sacramento....	Best one variety.....	Agricultural paper.....
J. R. Nickerson.....	Placer.....	Greatest number of varieties..	Honorary diploma.....
A. Gaffnesch.....	Sacramento....	Best twenty varieties.....	Haraszthy's Wines of Europe.
A. Gaffnesch.....	Sacramento....	Best six varieties.....	Agricultural paper.....
J. R. Nickerson.....	Placer.....	Best twelve varieties.....	Agricultural paper.....
Mark Hopkins.....	Sacramento....	Best native.....	Agricultural paper.....
J. R. Nickerson.....	Placer.....	Greatest number nat. varieties.	Haraszthy's Wines of Europe.

APPLES.

J. R. Nickerson.....	Placer.....	Greatest number of varieties..	Cup, \$10.....
A. S. Greenlaw.....	Sacramento....	Second greatest number of varieties.....	Agricultural paper.....
A. Runyon.....	Sacramento....	Best twenty varieties.....	Framed diploma.....
J. M. B. Wetherwax	El Dorado.....	Second best twenty varieties..	Agricultural paper.....
G. H. Tilley.....	Sacramento....	Best twelve varieties.....	Framed diploma.....
C. W. Reed.....	Yolo.....	Second best twelve varieties..	Agricultural paper.....
A. Runyon.....	Sacramento....	Best six varieties.....	Framed diploma.....
G. E. Coggschall.....	Sacramento....	Second best six varieties.....	Agricultural paper.....

PEARS.

J. R. Nickerson.....	Placer.....	Greatest number of varieties..	Cup, \$10.....
Sanderson & Bro....	San José.....	Second greatest number of varieties.....	Agricultural paper.....
C. W. Reed.....	Yolo.....	Best twelve varieties.....	Framed Diploma.....
J. M. B. Wetherwax	El Dorado.....	Best six varieties.....	Framed Diploma.....
A. S. Greenlaw.....	Sacramento....	Second best six varieties.....	Agricultural paper.....

PEACHES.

H. Davis.....	Dutch Flat....	Greatest number of varieties..	Framed diploma.....
J. R. Nickerson.....	Placer.....	Second greatest number of varieties.....	Agricultural paper.....

PLUMS.

J. R. Nickerson.....	Placer.....	Greatest number varieties.....	Framed diploma.....
H. Davis.....	Dutch Flat....	Second greatest number varieties.....	Agricultural paper.....
W. C. Feltch.....	Sacramento....	Best one variety.....	Fruit knife.....

QUINCES.

Exhibitor.	Residence.	Article.	Premium.
J. R. Nickerson.....	Placer.....	Best quince.....	Haraszthy's Wines of Europe.

SEEDS.

John Adamson.....	.....	Best Wheat.....	Agricultural paper.....
Thomas Milgate.....	Sacramento....	Best twelve ears of corn.....	Agricultural paper.....
Thomas Milgate.....	Sacramento....	Best white beans.....	Agricultural paper.....

FLOWERS AND BOUQUETS.

Mrs. Mark Hopkins	Sacramento....	Best bouquets ...	Cup, \$15...
D. DeBernarde.....	Sacramento....	Second best bouquets.....	Napkin Ring, \$5.....

WINES.

WHITE STILL.

Kohler & Frohling..	San Francisco	Best, four years old and over..	Framed diploma.....
Kohler & Frohling..	San Francisco	Second best, four years old and over.....	Haraszthy's Wines of Europe.
Martin Allhoff.....	Coloma	Best, three years old and over	Framed diploma
J. T. Godfrey & Co.	San Francisco	Second best, three years old and over.....	Haraszthy's Wines of Europe.
Dr. J. Strentzel	Martinez.....	Best, two years old and over...	Framed diploma
J. T. Godfrey & Co.	San Francisco	Second best, two years old and over.....	Haraszthy's Wines of Europe.
Dr. J. Strentzel.....	Martinez.....	Best, one year old and over...	Framed diploma.....
S. F. Schall	Anaheim.....	Second best, one year old and over.....	Haraszthy's Wines of Europe.

CHAMPAGNE.

Buena Vista Vinticultural Associa'n	Sonoma.....	Best champagne.....	Honorary diploma.....
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RED.

Kohler & Frohling..	San Francisco	Best red, four years old and over.....	Framed diploma.....
Kohler & Frohling..	San Francisco	Second best red, four years old and over.....	Haraszthy's Wines of Europe.
J. T. Godfrey & Co.	San Francisco	Best red, three years old and over.....	Framed diploma.....
Buena Vista Vinticultural Associa'n	Sonoma.....	Best red, one year old and over.....	Framed diploma.....

Exhibitor.	Residence.	Article.	Premium.
B. N. Bugbey.....	Folsom.....	Second best red, one year old and over.....	Haraszthy's Wines of Europe.
B. N. Bugbey.....	Folsom.....	Best red, two years old and over.....	Framed diploma.....
J. T. Godfrey & Co.	San Francisco	Second best red, two years old and over.....	Haraszthy's Wines of Europe.

WINES OF FOREIGN GRAPES.

Martin Allhoff.....	Coloma.....	Best exhibit.....	Cup, \$15.....
Dr. J. Strentzel.....	Martinez.....	Second best exhibit.....	Haraszthy's Wines of Europe.
Kohler & Frohling..	San Francisco	Best exhibit vintages and ages	Honorary diploma.....
Buena Vista Vinticultural Associa'n	Sonoma.....	Second best exhibit vintages and ages.....	Haraszthy's Wines of Europe.

CATAWBA.

Dr. J. Strentzel.....	Martinez.....	Best Catawba.....	Special, framed diploma.....
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ORCHARDS AND VINEYARDS.

L. H. Bascom.....	Santa Clara ...	Best orchard over twenty acres	Honorary diploma.....
Jared Runyon.....	Sac. River.....	Best orchard over one acre....	Honorary diploma.....
D. T. Adams.....	San José.....	Second best orchard over one acre.....	Agricultural paper.....
O. C. Wheeler.....	Sacramento....	Best fruit garden.....	Honorary diploma.....
Buena Vista Vinticultural Associa'n	Sonoma.....	Best vineyard over ten thousand vines.....	Honorary diploma.....
M. D. Cully..	Sacramento....	Second best vineyard over ten thousand vines.....	Agricultural paper.....
W. C. Hopping.....	Sacramento....	Best vineyard under five thousand vines.....	Honorary diploma.....
Martin Allhoff.....	Coloma.....	Best vineyard of foreign vines over five thousand.....	Honorary diploma.....
L. E. Miller.....	Rattlesnake Bar.....	Second best vineyard of foreign vines over five thousand	Agricultural paper.....

NURSERIES.

C. W. Reed.....	Yolo.....	Best fruit nursery.....	Honorary diploma.....
Wm. O'Donnell.....	San José.....	Best ornamental nursery.....	Honorary diploma.....
Sanderson & Bro.....	San José.....	Best timber nursery.....	Agricultural paper.....
L. H. Bascom.....	Santa Clara....	Best hedge fence.....	Framed diploma.....
William Scott.....	Sacramento....	Second best hedge fence.....	Agricultural paper.....

FIELD CROPS.

Exhibitor.	Residence.	Article.	Premium.
Isaac Bird.....	San José.....	Best acre potatoes.....	Framed diploma.....
Isaac Bird.....	San José.....	Best ten acres tobacco.....	Honorary diploma.....
James Kile.....	Woodbridge...	Second best ten acres tobacco..	Agricultural paper.....
Jackson & Johnson..	Sacramento....	Best five acres cotton.....	Honorary diploma.....
H. M. Hoyt.....	Sacramento....	Best four acres tobacco.....	Framed diploma.....

FLOUR MILL.

Stockton & Coover..	Folsom.....	Best flour mill.....	Framed diploma.....
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SPECIAL PREMIUMS, Etc.

Mrs. H. N. Pullan...	San Francisco.	Best cone and shell work.....	Napkin ring, \$4.....
Miss L. C. Baldwin..	Marysville....	Best hair jewelry.....	Cup, \$20.....
August Kohler.....	San Francisco.	Best trusses and shoulder braces.....	Framed diploma.....
Adolph Kohler.....	San Francisco.	Best exhibit of furs.....	Framed diploma.....
Crosby & Page.....	San Francisco.	Best stencil plates.....	Framed diploma.....
S. F. Fregazi.....	Marysville....	Best perfumery.....	Framed diploma.....
U. C. Simmons.....	Colusa.....	Best mineral water.....	Framed diploma.....
Miss'n Woolen Mills	San Francisco.	Best woollen goods.....	Framed diploma.....
Mrs. H. Adams.....	Sacramento....	Best seaweed and shell work..	Cup, \$10.....
G. Pfaff.....	San Francisco.	Best flutes and piccolo.....	Framed diploma.....
Lord, Holbrook & Co	Sacramento....	Best copper work.....	Framed diploma.....
Gruhler & Co.....	Sacramento....	Best lager beer.....	Framed diploma.....
A. Bergman.....	Sacramento....	Best wine vinegar.....	Framed diploma.....
Justin Gates & Bros.	Sacramento....	Best perfumery and medicines	Framed diploma.....
R. H. McDonald & Co	Sacramento....	Best surgical instruments.....	Framed diploma.....
H. Bowman.....	Sacramento....	Best California prepared med- icines.....	Framed diploma.....
Mrs. W. E. Brown...	Sacramento....	Pastel paintings.....	Goblet, \$10.....
Mrs. J. K. Brown...	Sacramento....	Herbarium of California flow- ers.....	Napkin ring, \$5.....
John Denn.....	Sacramento....	Wine press.....	Framed diploma.....
J. D. Card.....	San Francisco.	Tire upsetter.....	Framed diploma.....
Jacob Zeeh.....	San Francisco.	Grand piano.....	Framed diploma.....
W. E. Bussey.....	San Francisco.	Car coupling.....	Framed diploma.....
Harms & Palm.....	Yolo.....	Chickory.....	Agricultural paper.....
John Mason.....	San Francisco.	Ale and porter.....	Framed diploma.....
J. M. Horner.....	Santa Clara...	Washing machine.....	Framed diploma.....
S. E. Phelps.....	San Francisco.	Clothes wringer.....	Framed diploma.....
Warren Holt.....	San Francisco.	School desks.....	Framed diploma.....
Kimball & Co.....	San Francisco.	Model truck.....	Framed diploma.....
Baker & Hamilton...	Sacramento....	Corn and barley mill.....	Framed diploma.....
Miss Addie E. Crites	Sacramento....	Plain sewing.....	Napkin ring.....
John Taylor, Agent	San Francisco.	Glass ware.....	Framed diploma.....
Mrs. C. Clark, Agent	Deaf, Dumb, & Blind Asylum.	Crochet work, embroidery, etc.	Ice bowl, \$30.....
Miss F. Atherton...	Sacramento....	Hair wreath.....	Napkin ring.....
J. R. Nickerson.....	Placer.....	Best hams.....	Framed diploma.....
J. R. Nickerson.....	Placer.....	Best lard.....	Framed diploma.....
J. R. Nickerson.....	Placer.....	Best peas.....	Framed diploma.....
J. R. Nickerson.....	Placer.....	Best farm, 160 acres.....	Framed diploma.....
Miss N. Reynolds...	Vacaville.....	Hair work.....	Napkin ring.....

ESSAYS.

Exhibitor.	Residence.	Subject.	Premium.
William Daniels.....	San José.....	Best essay on "The Culture of the Vine".....	Pair cups, \$20
Thomas Edwards....	Sacramento....	Best essay on "The Cultivation of Tobacco".....	Pair cups, \$20
James E. Perkins ...	San Francisco.	Best essay on "Sheep Husbandry".....	Pair cups, \$20
Sacramento Union...	Sacramento....	Best report of the Fair.....	Diploma.....

SHEEP HUSBANDRY IN CALIFORNIA.

BY JAMES E. PERKINS,

SECRETARY CALIFORNIA WOOL GROWERS' ASSOCIATION.

FOR WHICH THE FIRST PREMIUM WAS PAID.

Among the many industrial pursuits that have attracted the capital and occupied the attention of agriculturists in this State, none have shown a more rapid expansion, or held a better prospective position than that of sheep raising and wool growing. Already its results figure largely in the list of our export values, and it bids fair to become at no very distant day a leading source of our agricultural wealth.

Of all the animals given by a wise and provident Creator for the use and service of mankind, perhaps no other has contributed so largely to his comfort and to his wealth as the sheep. Certainly none figure more prominently in history as constantly accompanying the human race in its successive migrations. This prominence might justly be accorded to it from the readiness with which it is domesticated, its rapid increase, and the supply afforded by it both to satisfy the cravings of hunger and to furnish needed raiment.

The object of this paper is to call attention to the progress of wool growing on this coast, to point out some of the inducements for expanding the business, and the chief disadvantages which must be overcome before our wool product can command a first class position in the great markets of the world.

With the origin of the various breeds of sheep of the present day we do not propose to spend any time, as such researches, however interesting to the curious in such matters, will have but an incidental bearing on our subject.

The writer also desires to state, in the beginning, that his views are submitted as the result of his own observation, and with the hope of promoting those inquiries and that comparison of views by which alone the experience of each may be made to subserve the interest of all.

In passing to the special subject of this paper it may be well to look for a moment at the value of the sheep as a food providing animal.

Animal chemistry assigns to the flesh of the sheep the highest place, as compared to the amount of nutritive matter contained in the flesh of various animals. It contains twenty-nine parts in the one hundred, beef twenty-six, and pork twenty-four, and is therefore better than beef as twenty-nine is to twenty-six, and better than pork as twenty-nine is to twenty-four—and certainly no animal food is more easy of digestion or better adapted to the wants of all classes. With this preponderance in favor of mutton as an article of food, the question arises, why does it not occupy a more prominent position as compared with the flesh of other animals?

An eminent writer on sheep says on this subject: "Notwithstanding all that has been said and written of the 'roast beef' of Old England, mutton is more eaten there by people of every rank. On the other hand, it is evidently not a favorite meat in the United States, though its proportionable consumption is evidently increasing. Whence the difference? Circumstances have led to habit, and habit in a great measure regulates appetite."

However it may be in other parts of the United States, we are confident that the consumption of mutton in our own State, at least in the more populous cities, is steadily increasing, not only absolutely, but relatively to the increasing consumption of other meats, and that our farmers can at all times raise mutton quite as cheaply as they can raise beef; indeed, that a price that would barely cover the cost of the latter would yield a good profit to the former.

But however serviceable to man as a food producing animal, the chief value of the sheep is in its capacity to produce material for clothing, and in this field no other animal can take its place. It is true that the goat, the alpaca, the llama, and some other animals, contribute to a limited extent material for the covering of man; but none of them afford a fibre so admirably adapted for clothing purposes by its softness, pliability, strength, and peculiar felting property, nor in such abundance.

The design of the Creator in giving this animal to our uses seems further and more strikingly indicated by the capacity with which he has endowed it to adapt itself to every climate, and to appropriate to itself a wider range of grasses than any other domesticated animal—with perhaps the single exception of the goat—thus enabling it to thrive on soils that would be otherwise almost useless, and to accompany the human race to almost every portion of the earth.

For several years after the settlement of this State, the opinion prevailed very generally that sheep could not be raised here to any profit for their wool. It was argued that the extreme heat of the summer, and the dry feed on which they must subsist for a large part of the year, would tend to produce a fleece so thin and light as scarcely to pay for shearing. Under this impression, those who owned or purchased sheep looked only to the market for mutton for their outlet and profit.

Scarcely anything but the native or New Mexican sheep could be found, and these, worthless as they were, were still further debased by crossing with some Chinese rams which were imported about the year eighteen hundred and fifty-two or eighteen hundred and fifty-three. The only recommendation either of these classes of sheep possessed was their prodigious fecundity, the ewes often bearing triplets, almost invariably twins, and sometimes five, and even seven lambs at a birth. In size, form, constitutional vigor, and disposition, they presented the perfection of all that is undesirable, while their fleeces rarely exceeded two or two and a half pounds of coarse, uneven, kempy wool, suited only to the lowest class

of fabrics, and scarcely worth the cost of sacking and transporting to market. Yet it is from this basis that our stocks of the present day have mainly sprung, and we owe to it the demonstration of the suitability of our climate and grasses for the raising and keeping of the superior classes to which we are now approaching.

During the years eighteen hundred and fifty-two, eighteen hundred and fifty-three, and eighteen hundred and fifty-four, quite a number of Missouri, and a few Ohio sheep, were driven across the plains; and toward the latter of those years some fine importations of Australian sheep were received, all of which found ready sale at remunerative prices. Most sheep raisers who have been long in the business can well remember when the possession of a very ordinary American ram was considered a most fortunate thing, and half-breeds, (*i. e.*, crosses of American rams on the Mexican ewes,) were eagerly sought for.

The immense increase of sheep raised in the State, and the continual introduction of immense droves from New Mexico, very shortly brought the stock of mutton sheep fully up to the demand from the butchers, and threatened at no distant time to be so largely in excess as to reduce prices far below the cost of production. As early as the year eighteen hundred and fifty-four, some of our most enterprising sheep raisers anticipated this result, and believing that a climate and range on which the poorer breeds seemed to thrive so well must answer equally as well for the higher classes of wool producing sheep, and that sheep could be raised here for the fleece alone, set about the importation of the thoroughbred merino rams of Vermont and New York. To Messrs. Curtis & McConnell, of Sacramento County, belongs the credit of the first importation of the Vermont, or generally designated Spanish merino. Both these gentlemen are now dead, but they lived to see and reap the fruits of their foresight. Other importations of both French and Spanish merino stocks rapidly followed, as also of Cotswold, Leicester, and South-downs. Large numbers of Australian rams and ewes were brought in, and all found ready sale at extreme prices. Before the year eighteen hundred and sixty, there was scarcely a flock in the State that had not some infusion of improved blood from these importations, and the character of California wools began to exhibit a percentage of improvement scarcely less than the increase in quantity, until at the present time an unmixed flock of native sheep is by far more rarely met than were improved flocks in the year eighteen hundred and fifty-six.

A glance at our estimated wool clip for the past ten years will show the rapid increase, and the important position already attained, viz :

ESTIMATED PRODUCT OF WOOL IN POUNDS.

1854.	1855.	1856.	1857.	1858.	1859.	1860.	1861.	1862.	1863.
175,000	360,000	600,000	1,100,000	1,428,351	2,378,250	3,260,000	4,600,000	5,520,000	6,857,109

In eighteen hundred and fifty, the census reported our wool product at about five thousand pounds; but it was not until eighteen hundred and fifty-four that it attained sufficient magnitude to obtain notice in the list of exports. That year we shipped one thousand one hundred and twenty-seven bales. The following table shows the extent in bales of our exports for each year since, viz :

EXPORT OF WOOL IN BALES.

1855.	1856.	1857.	1858.	1859.	1860.	1861.	1862.	1863.
2,487	3,924	6,664	6,496	10,570	12,082	15,984	22,113	18,146

A considerable portion of the wools shipped this year have been in pressed bales, weighing from five hundred to eight hundred pounds each—the ordinary bales used heretofore averaging from two hundred and fifty to three hundred pounds each.

Of the entire export up to the year eighteen hundred and fifty-six, probably nine tenths was of the native breed, originally poor enough, and sent forward in such abominable condition as still further to depress it in the estimation of dealers and manufacturers; and prejudices were then formed against California wools from which they have not yet recovered.

The rapid increase of our exports of wool is beginning to attract the notice of Eastern manufacturers, and already California is looked to for a respectable portion of the yearly supply.

Is any increase of our product of wool that we may reasonably anticipate likely to increase the product of the United States beyond the amount required for our domestic manufactures? A correct knowledge of the annual product of the United States is essential to any satisfactory conclusion on this point. In California, sooner or later, the entire wool crop must pass through San Francisco, either for shipment abroad or for use in our own factories; hence it is comparatively easy to arrive at the exact annual product of the State. But there is scarcely another State in the Union so situated, and one main dependence for the desired information is upon the census returns. The statistics of agriculture are always difficult to arrive at with precision, and it would be strange if there were no discrepancies in details. The statistics of manufactures are, however, readily attainable, and the importations of foreign wools, being all invoiced at the Custom Houses, can be arrived at with certainty; together they give so close an approximation to the census returns that we may safely accept the latter as the basis of our calculations.

In the year eighteen hundred and sixty, which may be taken as about an average year, as there were then no causes at work to interfere with the regular course of manufactures, the United States worked up over eighty million pounds of wools, besides using over sixteen million pounds of cotton in fabrics designated as woollens. The total product of wool in the United States for that year was only sixty-two million pounds. Since that year, heavy tariffs have been laid on all goods of foreign manufacture imported into the United States, and increased duties have also been laid on all foreign wools, both measures calculated to benefit the wool grower of the United States, by limiting the imports both of foreign goods and of foreign wools. Yet it must be confessed that the greater part of this protection to our domestic interests is extended to the manufacturer, inasmuch as the duties on manufactured goods are largely disproportioned to the duties on the raw material, and it is to be

noted that our legislators seem always to have forgotten that American farmers, burdened with all the responsibilities of social and public duties pertaining to their position as freemen and enlightened citizens, supporting churches, Schools, and societies for mutual improvement and progress in all that goes to make the sterling, intelligent man, can no more compete with the convict shepherds of Australia, or the "Gauchos" of Buenos Ayres, or the ignorant and ill-paid peasantry of England and Germany, than our manufacturers can compete with the pauper labor of the great manufacturing centres of England.

During the year eighteen hundred and sixty-one, the immense demand for goods suited to army purposes, and demanding immediate supplies, created an unusual call for low and medium wools, far beyond the capacity of our home production, and the crop of that year derived a material benefit from this demand and the consequent advance in prices. During the year eighteen hundred and sixty-two, prices nominally advanced still further, but when reduced to the standard of gold and silver currency were really no higher than the average for a term of five years preceding. Contrary to all expectation, the price of wool seemed to be but little, if at all, affected by the changes in currency or the almost complete withdrawal of the cotton of the South from the channels of commerce and manufacture.

The nominally high prices freely quoted in all our journals and business circulars had the effect to attract shipments on a greatly increased scale from almost every wool producing country, and the imports for eighteen hundred and sixty-two exceeded fifty-six million pounds. Despite the fluctuations of gold and the operation of the tariff, these importations continued in increased volume through the first half of the present year; the receipts of foreign wools for that period exceeding forty million pounds.

To this cause we may attribute the present condition of our markets and the general depression that seems to have overtaken them. That it will be permanent, we do not believe; that it is but a natural reaction from which we shall soon recover, seems more reasonable by far, and though wools may not again reach the nominal prices of last January and February in our Eastern markets, we expect to see them, relatively to the price of gold, even higher.

In regard to the large importations of foreign wools, it is to be remarked that the increased manufactures would naturally permit much larger importations than at any previous time, and beyond that the defection of the Southern States reduced the product of wool, directly, by the amount of nearly sixteen million pounds, and indirectly, by the amount of cotton formerly used in goods denominated woollen, fully sixteen million pounds more; so that an importation of thirty million pounds would be required to offset the deficiency of our domestic product, even allowing a large margin for the increased production of the Northern States during the past two years.

We know that the supply of goods for ordinary wear is by no means equal to the requirements of the country, and unless we are to be supplied to a much greater extent than ever before by foreign manufacturers, it is clear that wool must again be in active demand in our own markets. One fact is here worthy of mention, viz.: that our domestic growth of wool has never equalled much more than one half of the supply for our home manufactures, and the entire amount of these has scarcely equalled one fifth of our consumption of woollen goods. From all the sources of information available to us we draw the following

conclusions, to wit : That at the commencement of the present rebellion both our own and the English markets were supplied with cotton and cotton goods for fully three years in advance ; hence the fact, that wool has as yet received so little enhancement from the withdrawal of the bulk of that staple. That ultimately the small accessible supplies and high prices of cotton will produce their effect on the value of wool, besides increasing its use largely and permanently.

That this result will be felt proportionably in all the wool markets of the world, and that the average prices for the next ten years at least must be highly remunerative to the grower.

That the utmost expansion that could be attained by the whole Pacific Coast would not under any circumstances make up the deficiency of our domestic growth, and even if we could attain a surplus of production over manufacture, that surplus would have abundant outlet to foreign markets.

Hence, our policy and interest is to increase the product as largely and as rapidly as possible.

The facts that sheep of all the principal breeds adapt themselves readily to all the variations of climate and range on the Pacific coast, that they are remarkably free from all diseases, that they are here possessed of unusual fecundity, and that they suffer no deterioration in weight of carcass, or in the quantity and fineness of their wool, are now beyond question and require no argument.

Heretofore it has been the universal practice to depend wholly on the natural grasses for the subsistence of the many flocks throughout the State, and but a few years ago these were everywhere abundantly sufficient to keep the sheep in thriving condition throughout the year. In the remoter localities, where there is scarcely any limit to the extent of range, this is still the case ; but in localities where the land has been fully stocked with sheep and neat cattle for a term of years, and where year by year the plough has run its furrows wider and wider, gradually circumscribing the original range, it is wholly different.

The native grasses of California are, with rare exceptions, annuals, propagated each year from the seeds scattered the preceding year. Where the lands have been so persistently overstocked, the herbage has necessarily become thinner and thinner as the seeds have been gradually destroyed. This process of depasturage, though not confined to any one species of herbage, is most strikingly exhibited in the great oat ranges, where, less than ten years ago, the traveller would ride for days through wild oats tall enough to tie across his saddle, now dwindled down to a stunted growth of six or ten inches, with wide reaches of utterly barren land, marking the extinction of the native growth. The progress of this killing out of the native ranges has been very gradual, but has now reached a point when the question of "range" has become the most formidable one the sheep raiser has to encounter.

This system of stocking the grazing lands must ultimately result in their entire depasturage, and compel the sheep raisers to either a system of annual removal of their stock to the mountains for summer pasture, with provisions for fall and winter feeding on the plains, the purchase and inclosure of tracts of land of sufficient extent to permit such alternate feeding over different portions as the land could sustain without exhaustion, or the breaking up of many of the large flocks, and their distribution among the regular farmers.

It is probable that for many years to come open and unoccupied land can be found so situated that it cannot be used profitably for other agri-

whose name is unknown to us, but whose views are well expressed and directly to the point we wish to develop :

"Wool, nature's provision for protecting the body of the animal in winter, makes a large draft upon the food of the sheep; and as sheep have not the skill or power to elaborate good wool from empty racks, unsuitable feed, or the east wind, the necessity of good feed, and of sufficient quantity thereof, will be readily acknowledged. In order to make healthful muscle and good wool, the constituents must be provided for the flock at all seasons of the year. The wool is supposed to contain the chief constituents of the body. It consists of phosphates, sulphates, and chlorides, salts forming the skeleton of the body, and presents, upon analysis, a great similarity to the composition of bone; it also combines a fatty matter corresponding to other animal fats, also a composition identical with flesh or muscle.

"These facts, revealed by chemistry, seem to enforce the importance of understanding the art of feeding sheep, whether wool, or mutton, or both, be the end in view, as both require the presence of the same elements in the feed. Hence, as liberal feeding promotes the growth and fattening of the body, so also it is favorable to the growth of the wool. The quality of the wool may always be taken as a sure indication of the condition of the animal producing it. Its softness indicates a thriving condition of the sheep bearing it, and to this is attributed the presence of the yolk, an oily substance having a powerful influence upon both the growth and softness of the wool. Where the yolk is deficient, wool is always more or less harsh and crisp. A deficiency of this in wool after it is grown impairs its quality, and whether attributable to inadequate feed or disease, causes the animal to lose its wool and is indubitable evidence of an ill-conditioned sheep."

It is also well known that an insufficient supply of food, by restraining the secretions, checks, or for the time suspends the growth of the fibre.

In California, where all the herbage is of annual growth, springing from the seed and passing through a rapid growth, to stand under our rainless summer skies for months a dry feed, but almost as nutritious as well-cured hay until the early winter rains wash out its nutritive elements, though sheep may live upon the native ranges throughout the year, they cannot be kept in uniform thriving condition; and whenever an extraordinary season occurs, when, either by excessive rains, or by unusual dryness, the growth of herbage is retarded, great suffering and loss are sure to follow. With the exception of a few localities where the feed is abundant at all seasons, and the sheep always in good order, we find the flocks thriving through the spring and early part of the summer, gradually falling off through the autumn months, generally very poor through the early months of winter—the very period when they most need to be kept up in condition—and after the new grasses begin to grow, gaining very rapidly again until fat. The result of these alternations is most remarkably indicated in the fibre of the wool. During the summer months, though the sheep maintain a fair degree of flesh, the dry feed and frequent short supply of water are not favorable to the growth of wool, and the fibre pushed out under these unfavorable conditions is lacking in yolk, except on the lambs, with which the supply of milk drawn from the mothers replaces to some extent the green and succulent grasses, and permits a somewhat more favorable growth. Through the fall and winter months, as the feed becomes more scanty

and of poorer quality, the wool ceases to grow, and becomes very dry, harsh, and wiry; when the improved feed begins to make its mark on the condition of the sheep, the wool starts out with great vigor and rapid growth, often presenting in the fleece a top and bottom growth of entirely different character, and always presenting a point of demarcation at which a very gentle tension will break the fibre as evenly as if divided by a pair of shears.

Many samples of wool from the lower portion of the State, and some from the coast and upper counties, last spring showed this defect in a most marked degree, and, though having a fair amount of yolk, were so tender throughout the entire length of the staple as greatly to impair their value.

From this cause it will be impossible to grow in California, under the present system, a staple that will be classed with strong wools, or to cultivate with any success those much desired and highly marketable styles called combing wools, for which the chief requisites are, sufficient length, perfect uniformity, and even strength.

In this alternation of feeding, from a good and abundant supply to a poor and scanty allowance, is also involved the production of those qualities of softness and lustre so greatly desired.

We have remarked that our climate is finely adapted to sheep, and that as a general thing they show no deterioration in size of carcass, or in weight and quality of the fleece; indeed, we have evidence in many instances of a marked increase in the size of the sheep and weight of fleece, yet there is a wide difference in the character and value of wools of equal fineness from different parts of the State, arising probably from some unexplained climatic influence, or from the character of the soil over which the sheep range. For example: the wool from the upper Sacramento valley possesses the softness and life which adapt it to purposes of manufacture in a much greater degree than that from the San Joaquin or the southern coast counties. From the latter section the wool is generally dry, brittle, harsh, and wiry. The difference may be better appreciated from the fact that parcels of wool of extra softness will work up in the factory from one to two grades above its absolute fineness, while these wiry wools commonly work as far below their grades. In the former localities the range is gravelly and free from dust, the grasses light, but sweet and highly nutritious; in the latter, the soil more or less alkaline, and the grasses coarser and rougher. Indeed, in some localities so much alkaline dust adheres to the wool that manufacturers inform us they can scour it thoroughly without the use of soda ash or soap, the wool really cleansing itself sufficiently.

In the preparation of wool for market, our wool growers have made great improvement within the past few years, yet there are, annually, many and well founded complaints on this ground. Care in the processes of shearing, tying, and sacking, is all that is required to present wools favorably, and policy, as well as common honesty, requires the removal of all foreign matter, such as tag-locks, corral dirt, sticks, sand, and stones.

The grease or natural oil of the wool cannot so well be avoided, because there are few places where the sheep could be properly washed before shearing; but it is here worthy of note that the tendency of our wools is to dryness and light supply of oil, so that, with the exception of the high-bred merinos and merino crosses, the average shrinkage of California unwashed wool, in the process of scouring for the factory, is from five to ten per cent less than the shrinkage of eastern washed

wools. In our high-bred merino flocks this shrinkage runs very high, from fifty to seventy-five per cent, and reduces their comparative value very materially.

Upon the views here expressed arises the question, can these disadvantages be so overcome as to enable California wools to compete with those of the Western States—Michigan and Ohio, for example? We rely with confidence that they can just so soon as our flock masters come to exercise the same discrimination in the choice of rams, the same careful attention to their business, the same abundant provision of food for their flocks, and bring themselves to a complete discontinuance of the practice of fall shearing. This course will give to their wools all those desirable characteristics in which they are now deficient, and with proper care in putting up the fleeces, they will show to almost as good advantage as the wools from the States mentioned, with which they cannot now be compared at all.

Where the native grasses are now the entire dependence, some further provision should be made for the fall months, and especially for the period intervening between the killing out of the old grass and the springing up of the new. This provision will vary with the character of the range, but should be sufficient to keep the flock in fair condition and in good strength throughout the year. In our own experience, an expenditure of about twenty-five cents per head carried our own flock safely through the severe winter of eighteen hundred and sixty-one and eighteen hundred and sixty-two, on an extremely light range, and with very little shelter from the storms.

Where the ranges are thinned out by overstocking, and the grasses—as in many localities is now the case—are supplanted with weeds, the stock should be removed to more remote localities, and in doing this but little objection should be made to the increased cost of getting the wool to market, as any such increased expense would prove to be but an insignificant item, and it should be borne in mind that relatively to its value there is no article of produce so cheaply transported as wool.

This course of alternate feeding out the range and removal to new pasture will answer partially for years to come; but, as before remarked, the owners of large tracts of land and the regular farmers must ultimately control the wool product of this coast. To the latter the possession of such numbers of sheep as can be kept well on the refuse of these farms will prove an immense advantage, directly by the yearly return of wool, and by the cheap and convenient supply for the table, and indirectly by the benefit to the soil.

A fine illustration of this indirect benefit has recently occurred to our notice on the farm belonging to Mr. Robert Blacow, in Alameda County. On this farm a lot that had been used for a year as a pasture for about sixty head of sheep, was this year put into grain, the yield was a hundred per cent greater than from other portions of his farm, or than that from any of the farms adjacent; this increase could only be attributed to the sheep, and alone paid much more than the cost of their keeping.

As to the most profitable breeds of sheep, we can present but a few casual remarks. Of the distinctively wool producing breeds, the French and Spanish or Vermont merinos are unquestionably the only profitable ones; both have their earnest advocates, but between the best selections of the two breeds there appears to be but little difference. Both thrive well, are equally healthy, and produce fleeces of nearly equal market value. The French merinos are larger boned, heavier carcass, and heavier fleece than the Spanish; the latter have a more uniform and somewhat

finer fleece. Our opinion is, that a judicious interbreeding of these varieties will produce the best and most profitable sheep for our California wool growers.

Of the mutton producing varieties, the Southdowns, Leicesters, and Cotswolds, stand at the head of the list. The first of these produces a medium wool quite marketable, but generally light and dry; it is an easy keeper, maintaining its condition on very light range, and certainly affords a very fine supply for the table. The others are larger and heavier sheep, and under favorable circumstances produce the valuable combing wools, but to do so require a larger supply of green, succulent food, and a pasture entirely free from burrs or seeds, either of which destroy its special value.

Parties owning land adjacent to the reclaimed tules, and convenient to market, could use these varieties with great profit, as the fleece would attain in such localities a favorable growth, and the portion of the flock designed for the butcher would always keep in good order and command high prices. Apart from the few so situated as to derive a profit from these classes of sheep, the merinos of the class named above must become the prevailing style; and wool of the grade of half or three quarter blood—if the original stock is even passably good—will be found the most profitable to raise, as it is sufficiently fine for the ordinary market, and while carrying oil enough to give it desirable working qualities, is not subject to so great waste as the higher grades.

Of the localities best adapted to the growth of wools, we note a gradual improvement as you go northward. For example: the wools from the lower counties in this State, apart from the almost universal presence of burrs, are greatly deficient in strength, pliability, and softness.

From a careful observation of the product of the State, under very favorable conditions for attaining correct estimates, we should place the wool from various counties in the following order, going from the lower to the higher:

San Diego, Los Angeles, Santa Barbara—wools almost all dry and tender, and always burry. San Bernardino, Tulare, Fresno, Monterey, and San Luis Obispo—wools generally in better condition, but still harsh and often tender, a large part burry; a great deal of finely improved stock in the last two counties, and much of the wool is of fine quality. Merced, Stanislaus, San Joaquin, Santa Clara, Alameda, and Contra Costa Counties, show a regular though gradual improvement. Mariposa, Tuolumne, and Calaveras, generally produce very pretty and clean wools. Solano, Yolo, Colusa, Sacramento, Amador, El Dorado, Placer, Sutter, Yuba, Butte, Mendocino, Lake, Sonoma, and Tehama rank in about the order stated, the wool from some of them being only second to that from Oregon and Washington Territory. Marin and Napa Counties also produce quite good wools, but have some clover burr, which injures their sale materially. Of all the wools grown on the Pacific coast, those from Oregon and Washington Territory are by far the best; they are always of good length, very strong, bright, soft, and entirely free from dust or burrs. These facts indicate that the northern portion of our coast is best adapted to wool growing; their climate is somewhat cooler, the lands are well watered, the grasses are green and growing through the greater portion of the year, and they are not so fully stocked nor so liable to periodical failures of feed as the southern portions of this State.

We have indicated what, in our opinion, will be found the most profitable style of sheep to raise for a term of years, viz: those yielding a large fleece of medium and fine medium wool; but in closing this paper

we desire to refer briefly to the subject of fine wools. Our attention is more strongly called to this subject by noticing in our English wool circulars repeated remarks on the falling off in the character of Australian wools.

For many years the German flock masters almost monopolized the production of the finest wools. The greatest care was given to their flocks—breeding, feeding, and rearing them with but the one object, every other point was made secondary to the fineness of the fleece. This course pursued steadily through generations gave at length the perfect Saxon and Silesian Merino. Originally springing from the hardy Spanish Merino, the same parent stock from which has sprung the well developed, heavy fleeced, and hardy French and Vermont Merinos, it was bred down to a weak, bad formed, and light fleeced animal, but the point in view was attained, namely: a wool of almost gossamer fineness. After all the care and labor attending the rearing of these flocks, the twelve to twenty ounces of wool they gave could not be raised with profit except it could find a market willing to pay a price corresponding to the cost of production. These sheep were introduced into Australia, where, with a mild climate, immense ranges, and convict labor, they soon began to supply the markets with wool almost equalling the German in fineness, and at greatly reduced prices—in fact, bringing them within a few cents per pound of the medium wools.

This condition of things compelled the German farmers to change their system, and breed for heavier fleeces, a process that has been going on for years. Australia has continued to import from these flocks until the effect begins to be made apparent in the diminished supply of these extremely fine wools, and it is not improbable that within ten years fine wools may again command such extreme prices as would justify our wool growers in making material changes, for which the style of sheep we have recommended will prove an admirable basis.

SAN FRANCISCO, September 26th, 1863.

THE FENCE QUESTION.

BY WILSON FLINT.

STOCK GROWING AND PRODUCE FARMING.

Deeming it to be the duty of the State Agricultural Society to put on record whatever may come before it concerning the condition and wants, the progress or decline of the great producing interests of the State, the person to whom has been assigned the labor of writing out the history of this year's exhibit of stock finds himself compelled to go somewhat at length into a discussion of the collateral questions which have had a remote or direct bearing in depressing this interest; and while it is a pleasure to transcribe for publication whatever is worthy of commendation betokening improvement, it still is no less a requirement that there shall be plainly stated the causes for any falling off or deterioration discovered in any branch of the industries. Neither can the writer expect, in the brief limits to which this paper must be confined, to give a detailed statement of the causes which have made stock growing in California a precarious and unsatisfactory business.

When the gold discovery was made there were great herds of cattle, horses, and sheep congregated in vast bands at a comparatively few points, remote from each other, and scattered along the sea coast valleys. The number of stock, however, was insignificant, compared to what it is at this date; but throughout the middle districts it has ceased, in a great measure, to be grazed in large bands, it being now scattered over the entire country under a numerous proprietorship. This, while it has had the effect of introducing improved breeds to a gratifying extent, has at the same time made stock raising in the designated localities a more difficult and expensive business. The chief reason of this is that, under the multiplicity of ownership of stock, there necessarily has taken place a greater subdivision of land, so that when set off into small parcels no one proprietor had sufficient to make stock raising an entire occupation; hence, he is forced to take such portions of his small tract as would grow the cereals for the plough, so that his animals would be turned out upon the hills and less fertile plains to pick up their forage as best they might.

The practice of the old Californians had been to graze their herds in the valleys during one season, and then drive them to the reserved pasturage of the hills when the supply in the valleys gave out, thus always, excepting in seasons of unusual drought, having for their stock an abundance of food. In this manner they were enabled to keep their herds in fair condition through the inclement season of winter, and avoid any considerable loss by sheer starvation. It was supposed that on the advent of the American farmer that he would introduce improved measures in stock growing, as well as in cereal agriculture. The American method, however, of fencing land, and using the best for grain, has entirely done away with the custom of reserved ranges as considered imperative by the old Californians, and the result is that nearly all of the stock throughout the middle and northern parts of the State which is not fed with hay or straw, stored for the purpose, suffers a very severe shrinkage in weight during the winter months, as the pastures having been fed down close in the summer, there is little left on them to subsist animal life during the winter.

The grasses left standing in the field after ripening retain all of their nourishing properties so long as the weather remains dry; but the first rain dissolves the secretions of gluten, of which they become largely composed—maturing as they do in a season which is rainless, but subject to nights which deposit what are termed honey dews. The first rain dissolves this honey dew gluten, and a rapid fermentation and decomposition of the forage standing in the field is the result. Where there is an abundance of this grass, however, it becomes a protection to the young blades which immediately spring up underneath, and the stock, by mixing these two kinds of food, will get on tolerably well; but where forced to subsist mainly on the young, unnutritious grasses, they are affected with the scours, and become weak, and in poor condition to meet the storms of rain and cold winds which find them shelterless in California, except in some friendly gulch in the hills or ravines of the plains.

It seems strange that so many stock growers will still persist in forcing their herds to pick up a precarious subsistence and encounter the chilling, cold rain storms, when a small outlay would provide shelter, and the mowing of a few tons of hay would carry them through the only season in which they suffer by reason of exposure to the elements without a supply of nutritious food. What a sad commentary on the spirit of American progression and innovation, for stock raisers to say that they are not disposed to store forage to feed their stock in the winter, simply because the old Californians did not do it. In everything else in California the Anglo-American is swift with innovation, and even in the matter of stock grazing we find him innovating so far upon the ancient custom as to rob the herds of the richest grazing districts by plowing them up for grain fields. Probably the close-fisted modern herdsman calculates that he is much smarter than those he has supplanted, because he can produce grain in addition to an equal number of animals on the same area of land. Glancing at the peculiarities of climate, it is seen that our grasses, by necessity, are only annuals, as the dry season is so long that vegetable life is extinguished even in the roots of the grasses. Hence it follows that our pastures must have an annual re-seeding. Whence shall be supplied this seed? It has been shown that the modern system of close feeding uses up the grass before it can have ripened and resown the pasture. Among natural as well as cultivated grasses there will be mingled more or less of noxious weeds which are rejected by the stock as long as a spear of palatable grass can be found. Now, the valuable

grasses being consumed before the seed ripens, it follows that the next year's growth of grass is less in quantity, while the crop of weeds would be greater in proportionate ratio as it obtained the mastery of the field. There are large districts once covered with a heavy growth of nutritious grasses now entirely the receptacle of repulsive and useless weeds, owing entirely to this destructive system of grazing.

It is time that our farmers should turn their attention more largely to the growing of grasses or grains for hay. Indeed, these hideous wastes of noxious weeds should be plowed under to rot in the summer fallow, and early in the fall the wild oat should be thickly seeded and harrowed upon their decaying, fertilizing debris. One crop of this kind will redeem the foulest piece of land so that it will continue to be a valuable pasture for years afterwards. This, indeed, is what must be done if our grain farmers desire also to continue stock raising as a part of their business. In order to raise stock with profit or satisfaction under the changing condition of land proprietorship in this State, it becomes necessary to cultivate hay crops and store for winter use.

It is no unusual thing to witness, in many districts of the State where stock and grain growing are both conducted, farmers burning up huge piles of straw in the fields where the thresher left it, seemingly in great haste lest the long-deferred rains should overtake them before the lurid flames should have lapped it up in the very sight of lowing herds which instinctively snuff gaunt famine in the rising storm. Later in the season the barren pastures on such a straw-burner's domain will be sprinkled with the carcasses of his herds, while his corral fences will be covered with hides as evidences of thoughtless, wanton, shiftless waste. Such a farmer will complain that the season has been hard on stock, and grumblingly pocket a meagre dividend obtained from the sale of hides, minus the accompaniment of tallow. It is the constant boast of our Anglo-American population that they are far in advance of the native Californians in every branch of industry. So far as this applies to the subsistence of stock, this boast is not borne out by facts. The Californian, if he did not cut and store hay for winter use, at all events reserved a portion of his pastures for winter grazing, while the improvident American, with rare exceptions, does neither. It is no extravagant assertion to state that the stock throughout the State which is left to obtain its subsistence from the range alone during the winter suffers a loss of not less than one third of its aggregate weight by shrinkage alone, to say nothing of the vast numbers which perish from exposure and starvation. The adage of "a feast or a famine" applies with significant force to stock growing as at present generally conducted in California. A few years since the desire to own land and raise stock very nearly became a mania with all classes of our people. Indeed, the capitalist, professional man, and laborer with small means, were nearly as much beside themselves in their desire to own lands and herds as they are now to enumerate their figure columns of "feet."

Probably no one great interest in the State kept up so long to so highly a remunerating basis as stock raising. This was owing to the reason that the great bands of Spanish cattle were driven to remote and inaccessible places by the rapid substitution of grain farming in the middle districts, which thus usurped the choicest ranges nearest to the centres of population. Stock growing, however, did not cease in these districts—it was only changed by the substitution of improved breeds in small but numerous herds. The increase of these choice breeds were withheld for years from sale to the butcher, as they were most valuable

for breeding purposes. Thus, while the Spanish herds were driven further off, those near market were nominally withdrawn. This accounts for the long time at which beef cattle remained at a high price. It was some years before American beef cattle could be had at any price, and the effect was their rapid multiplication, with constantly diminishing ranges. Two causes at length operated to bring American beef cattle into the market in great abundance. These were a desire to realize after a long period of investment in multiplication, and the increasing difficulty of procuring pasturage. Although long deferred, the eventual decline in stock was as sudden as it was extraordinary. This unexpected prostration of an interest in which large communities had invested their means for years, with the expectation of acquiring a competence from the enterprise, has had the effect of producing a widespread discouragement and an abandonment of the business, attended with ruinous losses by a great many persons. While sanguine of a favorable result from their investments in stock growing, greater attention was being paid to the improvement of breeds, and it should be a source of pride to our farmers to reflect that they have been enabled in so short a time to expel from the ranges the nondescript Spanish breeds, and substitute in their places the majestic Durham and kindred blood. Having attained this, which is but the first step toward final success, it becomes a matter of the greatest importance for the herdsman to provide such subsistence as shall not only keep his improved breeds of cattle from deterioration, but render the business of pecuniary profit. This certainly cannot be expected under the "feast and famine" process. The only available means to render stock raising certain and profitable is to cultivate and store forage crops, to be fed out in the famine season. This recourse involves the consideration of one of the gravest questions affecting the relations of landed rights. It is the question of fences. This question may be examined in two aspects:

First—As to which is the best policy, as a mere matter of economy, either to fence stock or grain.

Second—What are the equities and natural rights existing in the case.

In the first proposition, it will be necessary to illustrate the subject by a comparison of the economies and profits of stock farming as compared with produce farming. In the second proposition, it will be desirable that an analogy be drawn, so as to show that human society may have acted inconsistently when it established rules of restraint which should operate to protect persons from aggression, but were subject to reversal when applied to outrages committed on property.

COST OF FENCING GRAIN AGAINST STOCK.

Statistics showing the cost of fences in any country, when arrayed in columns, will appear of startling dimensions, and in none more so than in California. In the first place, our fencing material has to be brought from a long distance, incurring heavy charges for both water and land carriage. Then, again, where it is other than of redwood, it soon decays, and must be renewed after a few years of exposure to our dry and wet seasons, which operate to produce rapid decomposition. It is intended in this article to lay before the public a few facts gathered from reliable sources in illustration of the comparative relations existing between stock growing and produce farming in thirteen counties of the State, where the area of land is occupied in nearly equal proportions by each interest. The counties taken for purposes of illustration are Alameda,

Colusa, Contra Costa, Napa, Sacramento, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, Sutter, and Yolo. If two adjoining tracts of land, one occupied for stock growing and the other for grain farming, are considered, it will be seen that either one or the other must be fenced, or the grain field will be encroached upon and destroyed by the stock. It is needless, at this point of the illustration, to state that the grain field is incapable of going over upon the stock range and committing depredations. Its reasonable request is simply "to be let alone." Hence the stock range finds no necessity for the erection of barriers against the encroachments of its neighbors. The greatest obstacle to profitable farming in this State has been the costliness of fences, not only at the outset, but for constant repairs. The enormous outlay for fences in our great produce counties would hardly be credited upon any statement short of the actual figures. These figures it is proposed to give, as taken from the returns of the County Assessors to the Surveyor-General of the State, from the thirteen counties named.

There are in these thirteen counties, as by the returns of the Assessors, one million nine hundred and fifty-nine thousand four hundred and ninety acres of land under fence, which may be estimated to have cost ten dollars per acre, or an aggregate of nineteen million five hundred and ninety-four thousand nine hundred dollars. Taking the number of stock as given in the Assessors' returns and estimating its value at market rates, the worth of all the horses, mules, cattle, sheep, and hogs in these thirteen counties will sum up eight million eight hundred and four thousand seven hundred and seventy-four dollars. Thus showing that the fences have cost ten million seven hundred and ninety thousand one hundred and twenty-six dollars more than the total value of all of the stock in the district. By this it appears that grain growers could well have afforded to have bought this stock and given it away for exile, and thereby saved ten million seven hundred and ninety thousand one hundred and twenty-six dollars, if they could by so doing have escaped the necessity of erecting fences to protect their grain fields. A comparison of the annual value of the farm produce raised in these districts with the annual value of the increase of stock, will afford instructive material for the economist. The value of the wheat, barley, oats, corn, rye, buckwheat, peas, potatoes, hay, fruit, wine, and garden produce grown annually in the thirteen counties indicated will aggregate to the sum of twenty million sixty thousand eight hundred and twenty-four dollars. Estimating the increase in the value of the stock in the same counties thirty-three and one third per cent on the gross stock valuation, and its yearly earnings are two million nine hundred and thirty-four thousand nine hundred and twenty-four dollars, being seventeen million one hundred and twenty-five thousand nine hundred dollars less than the earnings of produce farming during the same period. The fences having cost nineteen million five hundred and ninety-four thousand nine hundred dollars, interest at the rate of one and one half per cent per month on this amount is three million five hundred and sixty-seven thousand five hundred and ninety-two dollars, which should be charged to the debit of the stock. Add to this, eight per cent on the cost of the fences, one million five hundred and sixty-seven thousand five hundred and ninety-two dollars, for depreciation, decay, and repairs, and there is a total annual tax on produce farming of five million ninety-four thousand six hundred and seventy-four dollars as a subsidy to aid stock growing. The total annual earnings of stock growing being only two million nine hundred and thirty-four thousand nine hundred and twenty-four dollars, and the interest on

the cost of fences, with the yearly depreciation added, footing up, as it does, five million ninety-four thousand six hundred and seventy-four dollars, shows clearly that stock growing is chargeable with a loss above its earnings of two million one hundred and fifty-nine thousand seven hundred and fifty-four dollars, which has to be contributed by the produce farmer. Is such an unnatural condition of things consistent with the economics of the great agricultural industries? Sooner or later its palpable errors will be discovered in the prostration of great interests under the natural law of adjustment and compensation. The figures, as above given, are not set down as definite—they are, however, approximate, and not far out of the way, and sufficiently reliable to be taken as a basis of facts of a startling character.

THE EQUITIES OF FENCE CUSTOMS.

It is related that a person in London had trained a raven to watch at the open windows of the dwellings of opulent persons, and when it discovered pieces of coin or articles of jewelry, to fly in, seize them, and straightway carry its rich prizes to the domicile of its master. Will it be pretended that it should be obligatory on the owners of these valuables to erect such barriers as would prevent the thieving raven from obtaining access to the coveted articles, and that it would be no felony for the party employing the raven to do his nefarious bidding to receive the fruits of these robberies and convert to his own use the proceeds of such burglarious enterprises? Or, to make a closer application of the principle, has the law given evilly disposed persons license to enter upon the lands or into the houses of whom they may, and take and carry away whatever they choose, simply because the party trespassed upon has not guarded his property with such barricades as would render the trespass a matter of physical impossibility? The customs of society are quite to the contrary. It is a legal maxim—venerable both because of its age and equity—that it is a felony for one individual to go upon the premises of another individual and seize and carry off his effects without leave or license. Why, then, is it that, when the statute prescribes pains and penalties against the aggressions of persons upon the property of others, it should reverse its theory and apply a different rule when it is a case of the aggression of property on property? It has been shown that in the case of the pilfering raven its owner and human confederate became amenable to criminal prosecution for the joint offence. Is there any cogent reason why this rule of equity should not be applied to the offending owners of all other kinds of bipeds or animals which may have been pilfering upon the premises of others? It certainly should be the right of an individual who is in tenancy of a piece of land to enjoy its undisturbed use, particularly when, as an evidence of his good faith and honest intentions toward his neighbors, he should give them notice that they need apprehend no encroachment on their domain from himself or anything under his control, and with which assurance his neighbor is relieved of the necessity of erecting barricades. Ought not the statute to provide for a mutual pledge between the parties that neither should encroach on the other? Not so is its practice. It compels the party who voluntarily takes a position whereby he can do no wrong to others to erect costly barricades to protect his own industry, on his own premises, from the wanton aggressions of his neighbors. Where is the moral difference between the acts of the owner of the raven and the owner of stock, which, by his act of subjecting it to starvation on his own ranges, stimulates the animal instinct to

seek food on the rich herbage of his neighbors' grain fields? The error of the statute consists in the fact that it does not place the matter of boundary rights between landed proprietors on the same footing that it does the community in its police regulations. Suppose, for illustration, that an individual denying the rights of another should make it dangerous for the latter for him to reside in his place of domicile; would it be according to the theory of justice that he, a peaceful citizen, living in the retraiery of his own premises, should be obliged to inclose himself within impassable walls to obtain security against the aggressions and trespasses of every intruder? Is it not rather the legal intention that prison walls should be built for the reception of involuntary rather than voluntary inmates? It certainly would be a new rendering of justice to compel the inoffensive to seek for safety under lock and key, and grant license to the desperado to commit outrage upon him with impunity whenever he was unfortunate enough to be met outside of his barricades. Yet this theory is precisely what is practiced and applied to the relations between landed proprietors. That there is any equity or justice in this absurd custom, no person has ever yet attempted to affirm. True, the custom is as old as written law, and this is the chief obstacle to its overthrow. Tenaciously, however, as it has been adhered to, it is giving way before a more enlightened and thinking agriculture. Indeed, the march of progress inaugurated in the agricultural industries by the substitution of machinery for manual labor, has so cheapened farming, by increasing the production of articles of first necessity, that old communities have been forced to modulate their customs and usages, to conform to the changes which have been brought about by the settlement of new districts, where new ideas are of more ready inception; hence, old communities are no longer able to avert a discussion of the fence question. On the earnest and persistent importunity of cattle and horse growers, the Legislature, during the session of eighteen hundred and fifty-seven, were induced to pass an Act which forbade sheep from being herded or grazed on the lands or possessory claims of others than the owners of said sheep. This only applied to the Counties of Marin and Sonoma. In the next session the law was made to extend to several other counties, and in eighteen hundred and fifty-nine it was made operative in still more counties also. An infringement of the Act subjected parties to severe penalties in the way of fines. Ineffectual efforts were made by wool growers from time to time to get this Act repealed, but the Legislature wisely determined to not interfere with a law which simply protected the owner in the undisturbed use of his own land. If it is right to prohibit sheep from trespassing on the land of other persons than that of the owners of said sheep, why should it not be equally just that cattle, horses, mules, and hogs, should not also be prohibited from herding on the land or possessory claims of others than the owners of said cattle, horses, mules, and hogs? The Legislature, in enacting what is called the Sheep Law, took the first practical step toward the repeal of all fence laws, as this Act has the effect of repealing all fence laws so far as sheep are concerned. Most people will affect to believe that the subject of abolishing the fence laws is surrounded with intricate difficulties and insurmountable obstacles. This is a grave and inexcusable error. All that is required to overthrow the fence statute is simply to amend the Sheep Law so that it shall apply as well to all other kinds of farm stock. Notwithstanding that stock growers, with the exception of those subject to the penalties of the Sheep Law, have enjoyed a sort of freebooters' privilege

to forage on other persons' lands where there were no "lawful fences" to prevent, still, with all this favoritism, stock breeding has been shown to be a branch of agriculture of inferior magnitude to that of produce farming, and although the recipient of the indirect benefits of an enormous tax on the latter interest, it is in an unpromising condition except where it has been put under the restraints of fences.

Gratifying as are the reports from many of the farming districts of the State, the fact cannot be concealed that in other and large sections there is a decay and falling off in the general thrift and prosperity of those engaged in produce farming; nor is this compensated by an increase of stock grazing in those localities. Somewhat of this dilapidation may be attributed to the growing scarcity of labor in consequence of the sudden withdrawal of large numbers from agricultural to mining pursuits within the past three years; but more must be charged to the great cost of establishing and maintaining "lawful fences." That something must be done to rescue our great plains from total abandonment by the plough is becoming more and more apparent. Two remedies are within reach: abolish all fence laws, thereby rendering produce farming less costly; and establish quick and cheap transportation to market.

RAILROADS AS A REMEDY.

But, says a man who owns teams which are engaged in hauling freight across the mountains, if there was a railway from the navigable waters of California to Nevada Territory, teaming, which has grown into an enormous business, would be ruined. Admit that such a result would follow—and this is a proposition not tenable, as will be shown a little further on—and what is the position as regards the general public economy? It would seem that a system of transportation must be adhered to which is not profitable to those conducting it, and is positively ruinous to the great public interests, simply because of an aversion to change. That a railroad from Sacramento to the great central basin would entirely drive off of the wagon roads the present continuous caravan of teams cannot be doubted, and this is the strongest argument which can be raised in favor of its immediate substitution. Cheap and rapid transportation has become the necessity of every great community which strives to maintain its industrial relations in a flourishing condition with competing nations. Look where one may among civilized or barbarous nations, and it is seen that wherever there is any considerable traffic carried on between different localities, the old mode of packing or transportation by animal power for the propulsion of vehicles is rapidly giving way to steam on the railway. Indeed, this is as much of a necessity to the general economy of society, as it is required to enable communities to maintain themselves in the swift march of modern improvement. The reduction of freights between Sacramento and the great basin east of the Sierra Nevada Mountains, from the present price, which averages about one hundred dollars per ton by teams, to ten dollars, which it can be done for by railroad, would save ninety dollars on every ton, to be invested in developing the mines. It being estimated that the transportation on the Sacramento route will cost nine millions of dollars this season, it will be seen that railroad transportation would effect a saving of over eight millions of dollars, which, if added to the capital used in productive industry, instead of being wasted needlessly in transportation, would create new

and large mediums of employment for the teams now employed on the route across the mountains. But this is the smallest of the considerations. If freight from the Sacramento River could be delivered in the basin at ten dollars per ton, the imagination would become bewildered in a contemplation of the enormous wealth which would spring out of the earth in Nevada—that exhaustless storehouse of the precious metals. Even at the present enormous cost of transporting machinery and supplies to Nevada Territory, these new mining districts have become of such importance as to involve in their development the brain, and muscle, and material means of a vast number of the people of California, and the spectacle is presented of the enterprise of the Golden State being turned inland upon the continent, instead of looking outward for the wealth of the Indies. With this new and sudden change of population follows as rapid and extraordinary changes in the business relations of society. Some of these changes are already of a marked character, and so directly connected with the farming interest as to require being stated.

There are not less than four thousand teams, which will average six animals each, employed in freighting between California and Nevada Territory on the direct routes from the port of San Francisco. A large number of these work animals have been suddenly withdrawn from agricultural labors, which has caused an abandonment of great numbers of farms in many sections of the State. Estimating the value of a six-mule team, including wagon and gearing, at one thousand five hundred dollars, it is seen that there has been invested in this mode of transportation not less than six millions of dollars. The freight carried by these four thousand teams, being estimated at nine millions of dollars, will, when divided, give two thousand two hundred and fifty dollars to each team, which certainly does not show a very high average of earnings on the capital and labor invested. Indeed, it affords evidence that while this kind of transportation is a severe tariff on the industry of Nevada Territory, it offers little encouragement to those engaged in conducting it, while, when viewed in its bearings upon the public economy, it is accompanied with great waste, nearly approaching to disaster. Few teams procure return freights, hence most of them are subject to loss of time and expense, which adds materially to the bad economy of this mode of transportation. Freights are so irregular, and so long subject to entire suspension during the winter months, that there occur frequent interruptions in the business in the favorable season, while there is no possibility of employment on the route during the inclement part of the year. Thus, there occur long periods of idleness both for men and animals, all chargeable to the debit of a wasteful system of transportation.

The paramount occupation on the Pacific slope has, since the gold discovery, been mining; and this interest will claim precedence in the future for generations. The next in importance will be agriculture, and each of these pursuits must depend upon the other for its permanent prosperity. A proper adjustment of labor and capital between these two great industries should be the study of all. When so great a preponderance of our population is engaged in mining, it is reasonable to expect that the cost of mining will be increased from the neglect of agriculture by a scarcity, and consequent enhanced cost of living. This illustrates all of the other relations of industrial life.

That a railway is a necessity to the future successful working of many of the mines already now opened in Nevada, is as certain as it is that thousands of the very rich claims there can never be made to pay until cheaper transportation is an accomplished fact. With the present expen-

sive mode of transportation, there is afforded to the agriculturists of Nevada Territory a protection which is resulting in developing that interest at such a rapid pace that in a few years the great inland basin will be self-supporting, so far as regards all of the great staple articles of agriculture. This, at a superficial view, might be regarded by the people in Nevada as a reason why they need feel no haste about procuring railroad transportation. Let the people of Nevada, however, consider that their great and almost only source of wealth consists in their minerals, and whatever facilitates the process of extracting these from the earth in the most speedy and economical manner should be paramount in their thoughts. With a railroad transportation, California can feed the miners of Nevada Territory at a far less cost than this food can be raised in her unfavorable soil and climate.

ESSAY ON THE CULTURE OF THE VINE.

BY WILLIAM DANIELS.

FOR WHICH WAS AWARDED THE FIRST PREMIUM.

THE CULTIVATION OF THE GRAPE VINE IN CALIFORNIA.

I had rather cultivate a vineyard than write an essay, but at the solicitation of my friends, some of whom are largely engaged in the business, I will (as far as a moderate sized essay will admit) state the results of my fifteen years practical experience and actual observation in California.

The first point of consequence is choosing a suitable site for the vineyard. The aspect should be southwest; that is, the ground should slope in that direction; but any slope, either southwest, west, or northwest, is better than a slope in the opposite direction. Never choose an eastern aspect if you can possibly avoid it. A great portion of California is subject to late spring frosts, long after the vine has put forth its young tender shoots. The coldest part of the night is just before sunrise, and the frosts in California will, on an average, be twice as severe on an eastern slope as they are on a western. The western slope will receive the warm sunshine all the after part of the day, and long before it receives the last parting rays of the setting sun, the eastern slope will be left in the shade; and if the ground is well cultivated it will imbibe warmth from the sun as long as it shines. This will often preserve it from frost, when the eastern slope is quite white. The first bright rays of the morning sun, striking the tender frosted foliage on the eastern slope, will scorch it like an oven; whereas, on the western slope, suppose a light frost has dropped down, the atmosphere above the vines will become warm before the sun strikes the foliage, creating a warm, incipient fog, often sufficient to draw out a light frost before the bright rays of the sun strikes directly on the foliage, so that the frost has left no sign. Many a florist has taken his tender, frosted, pet plant and hurried it away to some dark, shaded place before the morning sun strikes it, giving it a shower bath of *cold* water, and kept it there till the frost was all drawn out, and thereby saved his plant.

The soil most suitable for the grape vine is a rich, free, gravelly loam. It should be well broken up, to the depth of at least eighteen inches, and if a stiff, cold hardpan underlies it, it should be thoroughly underdrained before setting out the vineyard—the after cultivation will then be easy. Stagnant water around the roots is poison to the grape vine, as well as to almost all other fruit bearing trees or vines. No deep ploughing should be allowed after the vineyard is planted, except one or two furrows along the middle between the rows, for the first two years. A light cultivator and a hoe will be the best implements to keep the ground clean and mellow on the surface. A top dressing of well decomposed manure, once in two or three years, will be an advantage. It should be applied just after the fall pruning, so that the winter rains will take its chemical properties down to where the spreading roots of the vine will find it. The whole may be worked in with the cultivator in the spring, and no cultivation should be allowed when it rains, or when the ground is wet enough to pack.

The next point to be considered, is planting the vineyard. The rows should be laid off four feet apart, and the vines six feet apart in the rows, and the rows should run north and south as near as may be. I prefer cuttings to rooted vines, and plant two in a place, for the reasons—

First—They can be got for less than one fourth the cost.

Second—If the ground is well prepared they can be set out with less than one fourth the labor.

Third—By setting two cuttings in a place you can almost insure an even plant over the vineyard, which is a great desideratum, and the cost of the extra cuttings is trifling in comparison with a lot of unprofitable and unsightly gaps in the rows.

Fourth—A cutting will make a better vine, all else being equal, when left where it is set, than when removed. The roots of a grape vine should never be disturbed if it can be avoided, and it is almost impossible to remove a vine without injuring to a certain extent almost all its roots; and in three years from the time of setting out, the vineyard set with cuttings will be fully equal to the one set with rooted vines.

The cuttings should be made in the fall, at the time of the fall pruning, from well matured wood of the current year's growth. Each cutting should have three well matured buds, or joints, cut square off just below the lower joint, and leaving an inch of blank wood above the uppermost one. As soon as made they should be tied up loosely in small bundles, with the lower ends all one way, and placed about two thirds their length, lower ends downward, in very wet sand or water—a deep muddy puddle is the best. They will imbibe twice their weight of water, which will help to sustain them in the spring until the roots begin to start. They should be set out in January, or as soon as the ground is in good condition. In setting the cuttings place the lower ends of the two cuttings near together, and let the upper ends slope away from each other sixty degrees, lengthways with the rows. Press the earth firmly around the lower ends, and set them at a depth so that the uppermost bud will remain just at the edge of the ground.

All the attention they will need the first year will be to keep the ground clean and mellow on the surface, except it is a very dry spring, in which case a little of the earth should be drawn away from around the cuttings, forming a small dish, and give them a good watering in the evening. The next day draw the earth back again, leaving it perfectly smooth, and do not wait till the cuttings are entirely dried up before

you do it. It may be necessary to do this twice during the early part of the first summer. After this no irrigation should be allowed.

The next point to be considered is pruning and training; and here I should feel great diffidence were I not sure that the plan I shall here recommend, though differing from many others, is the best that can be pursued in order to produce the largest and richest crops of grapes, and at the same time maintain the vine in a healthy condition; and I speak from fifteen years practical experience and actual observation in California.

During the first summer no pruning will be necessary. At the fall pruning in October, the shoots that have formed during the summer should be cut back to two or three buds each. Be careful to leave the most prominent and well matured buds, in order to insure a good supply of leaves next year, as on that will greatly depend the growth of the roots and vigor of the vine. This will do for the first year, and during the second summer the same course should be followed, allowing every bud and leaf to expand to its utmost, and take nothing away until the fall pruning in October, at which time the vines, if they have done well, will measure from three to four inches round the stem near the ground. It is now time to prepare the vine to produce fruit-bearing wood, so as eventually to bring it into a bearing condition. The vines should now be cut back to within two or three buds of the stem, and the next spring allow all the buds to grow till some of them are from four to six inches long, then select the two strongest on opposite sides of the stem, if you can, and lengthwise with the rows. Take all the others clean away, and let none others grow through the summer but the two main shoots mentioned above.

These two shoots should be trained each way, lengthwise with the rows, and any lateral shoots starting out from the joints should be allowed to make one joint, and then pinched off just beyond the first leaf, taking care never to remove or injure a full grown leaf. These main shoots should be so trained as to get as much light and sunshine as possible, in order to mature the wood and fruit bearing buds for next year's crop, and stopped about the tenth of September, so that the first fall frosts may not injure the vine, by freezing the young green wood.

I suppose scarcely any one will read this essay who is not aware that grapes grow only on the wood grown the previous year; care should therefore be taken that enough of this wood is produced, well matured, stout, and strong, with plenty of large, plump, unbroken buds, in order to insure a crop of fruit each succeeding year. The two shoots, managed as above directed, will produce a plenty of both well matured wood and buds. I have had them twenty-five feet long, and measuring for two thirds the distance three fourths of an inch through. At the fall pruning they should be cut back, according to the strength of the vine, to eight or ten buds each, beginning to count with the fourth bud from the stem, and counting outward, reckoning the three buds nearest the stem as not fit to bear fruit. An inch of blank wood should be left outside the outermost bud, to guard the bud from drying up.

In the spring the buds should be all examined, and thinned out to four or five on each cane, so that each bud is left in the best position possible along the cane. A small stake, say an inch square and thirty inches long, should now be placed firmly in the ground, near the out end of each cane. Small tacks driven not quite home, in each stake, four to six inches apart, to keep the strings from sliding down as the cane gets loaded with fruit, will be an advantage. The canes should be tied just

high enough to keep the bunches clear of the ground, and no higher, as the nearer the ground the warmer and more moist will be the atmosphere, especially if the ground is kept clean and mellow. I have tried it many times, with the thermometer, both by day and by night, and have always found that the atmosphere at six inches from the ground is from six to eight degrees warmer than at six feet; and when cold dry winds prevail, the difference will be much greater; and the moisture caused by evaporation and capillary attraction, from a well cultivated soil is the best preventive of mildew, the worst enemy the grape vine has.

The three buds on each cane nearest the stem, alluded to above, should be left in the spring till they have started and grown a few inches, then select the best one on each side of the main stem, to train as fruit bearing canes for the next year. Manage them as you did the other two last year, training them along the rows. You can tie them to the same stakes above the fruit bearing canes. They will then be in the best position to receive the light and heat of the sun, in order to mature their wood and buds, and also help to protect the fruit now growing from the direct rays of the sun and cold drying winds. The other buds remaining near or on the main stem should be rubbed off. The fruit bearing canes should be watched, and when the buds have well started, they will show at least two bunches each. As soon as you can ascertain which is the largest and most compact, take the other bunch away, in order to have large, well developed bunches and berries, with rich juicy pulp, instead of small, immature berries, more skin and seeds than anything else. The new shoots coming out from the fruit bearing cane, on which the fruit is borne, should be pinched off a little beyond the third joint outside the outermost bunch. All summer pruning should be done with the thumb and finger. No summer pruning ought to be done with the knife or shears, except a cane breaks down with the weight of its fruit, or by accident.

Summer pruning is but little work, but it must be done at the right time and in the right manner. A mistake or neglect in this can never be remedied. The vines, through the growing season, should be looked over at least once a week. Any one, after a little practice, will, as soon as he casts his eye on a vine, see at once where his thumb and finger is required. A quiet walk along the rows, and taking care not to do too much, is all that is necessary.

At the fall pruning the canes that have borne fruit this year should be cut clean out, as far back as may be, and the two new canes shortened to their proper length as fruit bearing canes for next year. An additional bud may be left on either cane, as the vine increases in size; and in some cases three of these shoots may be brought out as near the main stem as possible, and trained in the same manner, to become fruit-bearing canes the next year.

Great care should be taken not to allow the vine to overbear. It is much better to have the same weight of fruit in large, well matured bunches and berries, than in small, tough-skinned, immature fruit. There is a certain amount of fruit matter in the vine to be elaborated during the summer, and a certain amount to be deposited for the next year's use. If this amount has to be distributed among too many bunches or berries it must necessarily depreciate their richness. These facts cannot be too strongly impressed on the mind of the vine dresser, whether the fruit be raised for the table or for making wine.

This plan of pruning and training will suit any variety of grapes, but more especially the foreign kinds. The American varieties will bear

being being trained higher—the Catawba and Isabella in particular, as they are not so subject to mildew. But of one fact I am certain—the nearer the ground the richer the fruit, whatever the variety. Air, light, warmth, and moisture are all needed to cause a vine to flourish; but the fruit itself should have one of its own broad leaves quivering over every bunch, to shelter it from the direct rays of the midday sun.

Irrigation should never be resorted to after the first year. A good sprinkling over the top, of a warm still evening, when the berries are about half grown, might be of great benefit, but to soak the roots with water in the summer is calculated to lessen the richness of the fruit.

A friend of mine who cultivates from sixty to seventy thousand vines, came to me in the very dry summer of eighteen hundred and sixty-one, and said the ground was so dry he feared his crop would be very light, and said he had a great mind to irrigate. I told him what I would do. He went at once and bought a water cart with a very fine sprinkler, went through his whole vineyard, taking four rows at a time, on a still moonlight night. This he did three different times between the setting of the fruit and its beginning to ripen, each time creating a fine shower all over the foliage; and although he did not make as large a quantity of wine as the year previous, it was much richer, and is now selling at a dollar a bottle.

I could adduce any amount of reason why the renewal long cane system here recommended is preferable to the spur system of pruning practiced by many:

First—You make less cuts on the vine.

Second—You can distribute the bunches singly along the canes, so as to prevent their crowding and locking each other.

Third—You can choose the *very best buds* on the vine for fruiting, and place them in the very best possible position.

Fourth—You can keep the vine and its fruit nearer the ground, and thus avoid that terrible scourge of the vine, the mildew.

But this essay has already swollen to an unreasonable length, and I fear the patience of the committee will be exhausted. I hope they will forgive me. I can only plead in extenuation the importance of the subject. But to do it full justice would fill a book as thick as a cheese, and I can say no more now but to express my hope that this boon of a beneficent Providence to the people of California may be duly appreciated, and that the men placed in this Garden of Eden to dress it and to keep it, will do their duty and find their pleasure in doing it.

ESSAY ON THE CULTURE OF THE VINE.

BY DR. J. STRENTZEL.

FOR WHICH WAS AWARDED THE SECOND PREMIUM.

The author, in submitting this "Essay on the Culture of the Vine," begs leave to define the views governing him in the selection of a standpoint from which to treat upon this subject—one which could hardly be exhausted in a voluminous work, much less so in an essay destined for distribution throughout our State. He designs to discard the repetition of unimportant and known facts, treated most volubly in many works on grape culture, but will endeavor, mainly, to elucidate controverted points; his observations, culled in distant vine lands, shall be only guides to help him draw correct inferences from facts as they present themselves to the practical vigneron in California, and he believes that the object of this essay will be fulfilled by confining himself to a succinct statement, according to his experience, of the best method of grape culture adapted to California.

The location and aspect of the vineyard, and the component parts of the soil, exercise a paramount influence on the quality of the grape, hence, we find the product varying in countries, districts, adjoining vineyards, and even on a small plat of ground; hence, the proper selection of the location for a vineyard is of the utmost importance. The peculiarities of our climate admit of greater latitude in selection, and crown with moderate success the use of soils which, in countries otherwise blessed with copious and frequently recurring showers, would be inadmissible. For this reason, an aspect otherwise considered unfavorable does not entirely shut off success, but if we wish to attain a high degree of excellence, this does not absolve us from the necessity, especially if the product of the vineyard be destined for wine, to select a location sloping gently to the southeast, with an open aspect to the south and west. Such a location will secure a full exposure to and yet mitigate

the scorching rays of the noonday sun. Besides, the aspect due south is less favorable here, as the soil on the southern slopes is in most cases less fertile.

The component parts of the soil must be favorable to the retention of sufficient moisture for the nourishment of the vine, and yet permit of perfect drainage. It is not enough that the surface attests its fertility by a luxurious growth of indigenous plants. The subsoil should be sufficiently porous to prevent water stagnating during the rainy season. Hence, heavy clay soils are inadmissible. The product of such soils is a superluxuriant growth of wood, but the fruit is scanty, irregular in size, late in maturing, and of insipid flavor, lacking all the elements necessary for a good wine. A mellow loam, easily worked, and of sufficient tenacity to retain moisture for the thrifty growth of the vine, without irrigation, will give all the essential elements requisite for a vineyard. A red, loamy soil, if of sufficient depth, and produced from the disintegration of adjoining rock formations, is next best; but if the rock near the surface is of a hard sandstone, the growth of vines and fruit will be scanty. A third class, and very extensive one in some parts of our large valleys, consists of gravelly, loamy soils, which will rate according to their fertility and permeability.

As all of our agricultural lands have none or but little of the elements essential for the growth of plants exhausted, and the soil is in every sense an alluvial, and produced from the disintegrated strata of the adjoining rock formations, we can well dispense with a minute chemical analysis of a given soil, but use our critical acumen, in that respect, to learn from the natural productions its capacity for fertility and drainage.

Many persons taken in by the romantic associations which the colored descriptions of the vine-clad hills of France, or by the Father Rhine, convey to the mind, advocate indiscriminately the practice here. In those countries favored less by nature in the extent of suitable land for vine culture, their humid and cold climate often destroying, or at best, impairing successive crops of grapes, it is of the utmost importance to select land for a vineyard on a hill side, on account of the perfect drainage which is to be had only in such a locality, and also that the land should slope southward, to afford shelter from the northern winds, and to concentrate each ray of the retreating sun upon this favorite fruit. The scarcity of those sheltered places causes each sunny nook to be occupied by a grape vine, whose nourishment is scraped in the valley, and by toilsome labor, often on the backs of men or women, conveyed up the rugged heights. After all this patient toil, the scanty beverage obtained would hardly impart to our gustatory senses visions of ambrosial nectar. Indeed, places are few and far between where the soil and proper location, as to altitude and aspect, are most favorably combined to give to certain vineyards and vintages a world wide reputation.

In many respects, California is highly favored by nature for a wine country. A network of mountains affords the necessary shelter from the prevailing winds, and the high grounds are free from the nightly condensed vapors of the low valleys, while the dry season extends indefinitely the length of time necessary for the perfect development and ripening of the grape. Few countries can boast of the favorable climatic conditions which permit the already palatable fruit to remain upon the vine three months longer, subject to the laboratory of solar rays, converting it into delicious raisins or ambrosial juice. With all these advantages in our favor, we cannot with impunity plant a vineyard where we wish, but only in locations offering most favorable conditions. Innu-

merable little valleys, rich in all the elements of fertility, formed from the debris of surrounding hills, and perfectly drained by nature, afford all the facilities for cultivation, which costly labor expended on a hill side could never compete with.

PREPARATION OF THE SOIL.

Land for a vineyard, if new, should be grubbed and cleared perfectly, the natural growth burned, and the ashes distributed evenly over it. Old land should be heavily manured, to renew its former fertility. In either case, the soil should be ploughed deeply, subsoiled, and lie fallow one season. Before planting, it should be ploughed again, and well harrowed. According to the extent and location of the vineyard, roads, to facilitate subsequent operations of culture, gathering, and transporting the grapes, should be surveyed and marked out. It is advisable that the roads remain unploughed, but the grass and weeds should be mowed, thus preventing the inconveniences of dust.

DISTANCE TO BE PLANTED.

In vineyard culture, six by six feet is as close as admissible, and eight by eight feet is fully required by the vines. The rows should, as much as practicable, run north and south, east and west.

If the plat of ground is not a parallelogram, run a base line its whole length; on this measure and stake the distance between the rows you design to plant, the stakes to remain stationary as guides. At a right angle with the base, stretch your line the whole length of the row, and measure and stake out the row. Repeat this operation until the whole of the land is laid out.

Some advise to checker off by stretching lines along the rows, crossing the same at right angles with a line; or to use a line with the distances on it, marked with colored cloth. Unfortunately, the constant variation in the length of such a line, consequent upon its constant extension or contraction by loss or absorption of water, makes such a process impracticable unless a chain is used; still, the use of a measure twelve or sixteen feet long is economical, expeditious, and insures sufficient regularity.

Should the soil be of even richness, say thirty inches deep, and thoroughly pulverized that depth, the planting would be a rapid operation, merely requiring the removal of the survey stake, enlarging the hole with a crowbar the proper depth, and inserting the cutting to such a depth that the topmost bud remains one inch above ground, and replacing the stake two or three inches from the cutting along the line. But as those favorable conditions are seldom supplied, it is advisable, and fully repays the cost, to have, at the proper distances, holes dug at least thirty inches deep in good, and deeper in stiff or rocky soil, twelve by twenty-four inches in size. The holes should be, before planting, filled four to six inches with broken bones or well decomposed manure, and at planting filled in with the best top soil.

Many controversies have arisen from varying opinions as to the proper length of grape cuttings preferable for planting, the disputants entirely overlooking that the design of nature governing the growth and extension of roots admits of no variation, the rootlets enlarge by the formation of cells at the extremities, and those cells are formed by the pabulum supplied by the surrounding soil. To secure the newly formed and

expanding roots from the effect of protracted drought, long cuttings are indispensable, unless the condition as to the supply of moisture and shelter from the deeply penetrating heat are otherwise fully afforded; even should a shallow planting be preferred, a long cutting, coiled up, can be used, and yet furnish an extended surface for the emission of rootlets. Hence, we prefer cuttings not less than eighteen to twenty-four inches long.

Yet, we have to decide whether to use cuttings or rooted grape vines. Whenever cuttings can be obtained of thrifty growth, thick, short, jointed, well ripened wood, and of proper length, and can be planted early in the season, they are preferable in vineyard culture, as the first set of roots are undisturbed in their natural inclination to grow to their best advantage, and soon overtake rooted vines. Some foreign varieties, yet scarce, and of slender growth, it is preferable to transplant when rooted two years in nursery. Yearling plants have but scanty roots, and those get so mutilated in the process of transplanting that they are nearly worthless. The lower end of each cutting should be cut smooth and obliquely, close to a bud, and the jagged or bruised roots of a rooted vine pared off. The lower half of either should be immersed in running water in a shady place for several days before planting.

In the selection of varieties, we should be governed by the use to be made of them; some are most desirable for the table or for raisins, as the Muscat of Alexandria, Rosa of Pern, and Black Hamburg; others for wine, as the Chasselas, Catawba, and Mission Grape; and some, if fully matured, answer all purposes. So far as experience goes, all the choicest foreign varieties thrive here remarkably well, if anything like the conditions governing their growth are supplied. Of those there are none that surpass, in all desirable qualities, the Chasselas de Fontainbleu.

Having succeeded in planting our vineyard, our work for the first season will consist in keeping down the weeds by the use of a plough and hoe, and should the soil not be sufficiently moist to keep up a thrifty growth, a few gallons of water to each vine, applied so as to reach the roots, will insure a vigorous growth and repay the expense many times. Should the growth be so luxuriant as to cause the canes to drop over, it is necessary to top them enough to insure an upright growth.

The second year, the previous year's growth is pruned to two buds, and after the first ploughing is performed and the vines staked, there is less danger of accidents by breakage, the straightest and stoutest shoot is selected as leader, and when grown sufficiently, tied up securely with strips of cloth, the other is cut off, as are all the suckers which may sprout up. When the leader grows to twelve by fifteen inches, the tip should be pinched off, and the operation repeated when necessary to insure an upright growth. The laterals, this year, are permitted to grow unchecked.

In the subsequent cultivation of the ground it will be well to attend strictly to the general rule never to plough or work the ground when it is wet; to keep the soil well pulverized and free from weeds, and never to cultivate other crops between.

In proportion to the care with which the operations of staking, suckering, and summer pruning is attended during the first, second, and third year's growth of our vineyard, will be our reward in the beautiful symmetry of the vines, their thrifty growth, and abundant fruits.

At this stage we have to decide the future shape of our vine, as by it the future pruning is governed. All our observations favor the opinion that in this climate grape vines should be trained low, after the renewal spur mode of pruning, on account of economy, which is not the least

consideration, and on account of shelter thus afforded to the vines from cold currents of air—at the same time, sufficiently high that the bunches of grapes do not trail on the ground, which would subject them to injury by the wind tossed branches, and, later in the season, when the ground gets damp, they would rot; also, from the particles of dirt getting lodged between the grapes, difficult and tedious of removal. There are but a few varieties, of which the Catawba is one, which, on account of their peculiar growth and bearing, do better if trained on a trellis. The leading branches or arms of such should be extended six or eight inches above the ground, from which the growing canes are trained and pruned after the renewal mode.

The winter pruning the third season will require to be conducted with judgment. Such vines as are too slender to form an upright stem are cut to two buds; those that are stout are cut to twelve inches above ground. Of the former, one cane will be selected for a leader; of the latter, two uppermost buds will grow two canes, the lower ones, if any, being cut out. The summer pruning is conducted as that of the former year, and the main trunk, now formed, should be yet supported by a stake—the canes topped when they get about three feet long. The laterals should now be pinched, whenever required to check the overgrowth and favor the development of the main trunk and of the next year's bearing wood. A well grown and properly pruned vine will acquire this season a self-supporting stem, and the appearance of a dwarf tree.

The fourth season, at the winter pruning, the two canes should be cut to two buds each, from which four canes will be allowed to grow, and all sprouts removed as soon as they commence growing. The summer pruning will be conducted on the principle of former years.

By this time the vines should begin to recompense us for our labor; and to develop the finest grapes will require proper care in summer pruning, as explained below.

The subsequent annual pruning is conducted strictly on the principle of adapting means to ends. Thrifty vines, growing in fine rich soils, can be burdened gradually with from five to eight bearing canes. The winter pruning should be performed directly after the fall of the leaf, as any delay is at the expense of successive crops. Vines pruned late are apt to be injuriously depleted by the flow of sap, which assertion will hardly require any argument.

PRINCIPLES GOVERNING THE PRUNING.

At this point we reach another Gordian knot. Many persons, basing their assertions on experience, declare that it is injurious to check the natural growth of plants, especially the vine, as it tends to curtail their longevity and deteriorate the quality of the fruit; that by curtailing the length of the growing canes we destroy the "balance of power" between them and the roots, and that the vine must eventually perish from that cause. Others again, *in extremis*, advise to nearly denude the vine of foliage and take off the principal growth of wood. Now, to these it is hardly necessary to answer—though the proceeding, once tried, is an experience dearly bought. So we take the responsibility of advising all new beginners not to follow it.

It is not so with the first class. Now, we assert that judicious pruning is indispensable to the production of fine fruit, to which, probably, the experience of most cultivators will assent; but, we further assert that there cannot be a "balance of power" lost, because the growth of

roots is governed by the growth of the branches, and by curtailing the superfluous wood we obtain an extra supply of nourishment for the fruit or for new wood, as the case may be. If a branch is topped off it does not increase the amount of sap in a tree, because each part has its certain quantity, and there is no more absorbed by the roots than what the lungs—*il est*, the leaves—can elaborate or bring in contact with the air.

If the soil contains only the amount of fertility needful to develop a thrifty growth of the plant, very little pruning will be necessary, as at a certain stage the growth of wood is checked, and the fruit absorbs all the prepared sap; but even in those happy cases, art has to assist nature whenever her children are by civilization pampered. We have to check its fecundity by removing a large proportion of fruit, for the benefit of the remainder. We must curtail the luxuriance of the outgrowing branches by pruning, to keep them within our reach. We must exercise a redoubled care when the fertility of the soil or the peculiarities of growth of certain plants like the vine cause them to run wild in the formation of wood, when our desire is to obtain fruit. We notice that vines growing luxuriantly long after the season for ripening the fruit is past will not pay—there is abundance of foliage and wood, but the grapes are scattered on the bunches, of all sizes, green and ripe intermixed. All such vines must be pruned with the most assiduous care. We should begin the pinching process in time, and reduce the number of canes, that the vine may have an open head, with the fruit accessible to light and heat. If it still outgrows the pinching, check the rampant growth with the knife, by pruning above the topmost a fully grown leaf. Follow the same with the laterals, and in due season, if the soil is not stiff and clayey, and unsuited for a vineyard, our labor will be repaid with good fruit.

We have been at length in discussing the points of summer pruning, because the renewal mode of spur pruning is especially adapted for vineyard culture in California, and this requires, particularly, persistent summer pruning. It should commence by pinching the topmost bud as soon as the canes have grown two leaves above the topmost raceme or blossom. This will strengthen and develop the wood at the base of the cane, and prevent their breakage by heavy wind. This is the time to remove all suckers, leaving only the desired number of the strongest canes. With the advancing growth the process is again repeated on the new topmost shoots; then the laterals will expand. These should be shortened above the third leaf. As in vineyard culture it is almost impracticable to perform the work in the exact necessary time, the overgrown cane tops can be rapidly shortened in with a knife, with the precaution to spare three or four leaves above the fruit, which will leave the length of canes about three feet. The process will have to be repeated when the new growth requires it, but with this caution, not to destroy the old, fully grown leaves, and each new shoot to be cut above the topmost grown leaf.

The culture of the soil has been above referred to. It remains only to mention that after the winter pruning the ground around the vines, at least twelve inches, should be carefully scraped off to the depth of two inches, to facilitate the further culture, and to kill insects or their larvæ, which select these places as their winter dormitory.

To prevent the exhaustion of the soil, all the refuse winter prunings should be chopped in pieces of ten or twelve inches in length, scattered evenly over the ground; and as soon as the vegetation starts a few inches with the advent of the rainy season, it should be turned under with a

one-horse plough—the subsequent cultivation to be made with the bull-tongue and horse hoe, without disturbing that layer.

Barnyard manures should be well decomposed, and applied early in the season. Bones and all other phosphates of lime are the best fertilizers. The application of fresh slaked lime will benefit any soil, especially one which is heavy, tenacious. The lime should be ploughed under in its caustic state as hydrate of lime, to produce immediate beneficial effects. A composition of about ten parts of hydrate of lime and one part of common salt, well mixed together, and a handful of it sprinkled after the winter pruning on each vine, besides its fertilizing properties, would be especially beneficial in dislodging insects which hide under the loose bark.

Irrigation, with a few exceptional cases, is most injurious in vineyard culture.

The only disease to which our vines are subject is mildew. Of the many preventives which have been tested here, sulphur is by far the most efficacious. Its particles coming in contact with the spores of oidium destroy their vitality, and as brimstone is also antagonistic to insect life, it is in a great measure a preventive of their depredations. To be successful, the buds at the time of frondescence should receive a good sprinkling, again when the blossom racemes are fully developed, and a third time when the grapes are of the size of small peas. Some contend that the dusting with finely pulverized clay has the same effect, but this does not conform with our experience. Others advise the use of salts of copper, to which we emphatically dissent. All compounds of copper are virulent poisons, and even in small quantities, though acting slowly, surely destroy animal life.

The author closes with the hope that however imperfect, from the nature of the subject, this essay may be, it will prove the means of aiding some of his fellow wine growers in their enterprise in extending the culture of the vine in California.

“ ’Tis the vine ! ’tis the vine ! ” laughing myriads resound,
“ Hail, hail to the wine tree, all hail ! ”

ON THE CULTURE AND CURING OF TOBACCO IN CALIFORNIA.

BY THOMAS EDWARDS, OF SACRAMENTO.

FOR WHICH WAS AWARDED THE FIRST PREMIUM.

The raising of tobacco in this State is perhaps attended with more difficulty than in the Eastern States, owing to the dryness of the soil at the time of transplanting from the seed beds to the field where the plants are to be grown. But this difficulty is more imaginary than real, for if it is done with care and proper attention there will not one plant in a hundred fail to grow. The system which I have followed for three or four years with success, I hereby proceed to give in detail.

SEED AND SEED BEDS.

The first essential point to get good plants is to procure good seed. I prefer California grown seed, if selected with care, having reference to quality more than quantity. If tobacco growers will select their best specimen plants for seed, California will in a few years become as famous for her fine tobacco as Cuba is now.

The seed beds should be prepared about the first of February, and on good soil, which is sufficiently porous and friable, so as not to bake after too great an application of water. The ground should be dug up deep, and well pulverized, then covered with brush heaps, which should be burned, as the heat kills the ant seed and larvæ in the ground, which would otherwise hatch in the early spring when the plants are young and tender, to their great injury and oftentimes total destruction. The deposit of ashes also strengthens and accelerates the growth of the plants. After burning, dig the ground over so as to mix the ashes well with the soil, then tramp it down well with the feet as evenly as possible, then rake very lightly with a fine iron or steel rake. Mix the seed with ashes at the rate of one tablespoonful of seed to two quarts of ashes, which will be sufficient to seed a bed of two hundred square feet. Sow this mixture of seed and ashes as evenly as possible, and wet down well with the sprinkling water pot.

For a field of ten acres there should be two or three beds of this size sown at different times, the second about the middle of February, and the last the first of March; and more of these beds, if you have time and inclination, so as to have plenty of plants from which to select only the choicest. The plants in the seed beds should not be allowed to grow so thick as to crowd each other, and should be kept free of weeds. The safest time to transplant is in the month of May, although good tobacco may be produced from plants set as early as April or as late as the first of August, but the first are liable to injury by being broken down by the high winds which prevail in the early part of the season, and the last to be cut off by premature frost, as it would not mature before the latter part of October. Plants which have leaves about the size of a half dollar on the first of May, are suitable for transplanting.

TRANSPLANTING TO THE FIELD.

As weeds will begin to grow long before it is time to transplant the tobacco, these must be kept down by shallow ploughing until the time of removing the plants from the seed beds to the field; then the ground should be ploughed deep, and afterwards harrowed, and rolled down, and marked off in rows about three feet and a half apart. A good implement to do the marking with is to take a piece of scantling ten and a half feet long and set teeth at distances of three and a half feet apart; then set teeth two feet apart to mark right angles, and at the places of intersection set the plants. This will make the plants three and a half by two feet.

The most important part is now to come, and too much care and caution cannot be exercised to see that this part is well done, as a little extra pains in planting will be well repaid.

Let each man be provided with a convenient vessel in which to carry his plants, and a sharpened stick to thrust to the bottom of the plant to be raised, which should be done by a prying motion of the stick, being careful not to injure the tap root of the plant extracted, nor damage the adjoining plants not large enough to be used at the time. The watering pot may be used upon the bed with benefit to the remaining plants, after removing others for the field plantation.

If a stick or dibble is used to make the hole to receive the plant, be sure that it is plunged sufficiently deep into the ground, so that the tap root will not be doubled up on being inserted into its place, as this will be fatal to its growth. The earth must be pressed firmly about the root of the plant, which can be rapidly and effectively done by thrusting the dibble each side of the hole in which it has been inserted. Set no deeper than the plants grew in the seed beds.

Supposing you have six hands, four should be employed in setting plants, and one to follow with water, to put one half a pint in the dish-like circle left around the plant by the person who set it. The sixth man should follow with a basket of straw and put a small handful over the plant, so as to cover it up immediately after it has received the water. The straw should be raked off with a common garden rake two or three days after the plant has been thus set.

This process may seem tedious, but it insures the growth of nearly every plant, however dry the soil, and the number of hands indicated will set about six thousand in a day.

If the above course had been adopted by tobacco raisers we should not have heard of so many failures this season in getting plants to live. If the season is cold, the cut-worm may attack the plants as soon as they begin to grow; if so, it is necessary to go over the field early in the morning, as they are readily discovered, and cease to be troublesome on the setting in of hot weather.

As soon as the plants begin to start run through the field with the cultivator, and use the hoe to draw the crusted earth away from the plants, and to bring around them a small quantity of fresh earth. Keep the ground clean of weeds at all times.

TOPPING, SUCKERING, AND KILLING WORMS.

The next enemy to contend with is the common tobacco worm, which will probably make its appearance when the plant is about half grown.

This tobacco chewer is of a green color, with prominent horns on the head, and is about the size, when full grown, of the finger. This worm, if unmolested, will soon destroy a plant; hence it becomes necessary to watch a plantation vigilantly for its presence, which will be indicated by its excrements dropping on the leaves under it even before its ravages have marked a plant for destruction.

As soon as the seed bud shows itself the plant must be "topped," which consists in breaking off the top of the succulent plant at a point which shall be in height according to the vigor and thriftiness of the plant, generally permitting ten to fourteen leaves to remain on the stem below the point of severance—those being sufficient to grow on one stalk.

After the plant is topped the suckers will start, which will require the field to be gone over twice a week to remove the latter. Priming the tobacco consists in taking off three or four of the bottom leaves, which may be spread in the shade and cured so as to make a very good article for smoking.

CUTTING AND HOUSING.

The tobacco house should be ready by the first or middle of August, as the oldest plants will probably be ready to cut by that time. The building may be of any dimensions most convenient, provided there is room enough to house the crop. A barn, forty feet by sixty, with posts sixteen feet high, will be sufficient to hold the produce of ten acres of land. The building must be divided off into tiers of racks on which to place the sticks which hold the plants. I prefer sticks about four feet long and about one inch square, split out of redwood, these, in my experience, being the cheapest. The racks should be about three and one half feet apart, and strong enough to bear the weight of a man.

When the leaves become spotted the plant is fit to be cut, but will not be injured by remaining standing a few days longer. If cut before mature, it will cure green. Use a common butcher knife, and split the plant from the top to within four or five inches of the bottom, and cut the plant off near the ground and lay it down to wilt, being careful not to let it "sunburn." The safest way is to cut late in the afternoon, and remove it from the field immediately after the dew is off in the morning. Hang it on the sticks before loading it on the wagon—from six to nine stocks to a stick, according to size of the plant. After being put on the sticks it must be placed on a scaffold, which may be arranged in the field under a shade. The scaffold must be so arranged that the plants will hang nearly to the

ground and crowded together compactly. This process is for the purpose of "yellowing" the leaves, and will require from three to five days, although it may remain longer if care is taken so that it does not heat.

When properly colored, the sticks, with the plants remaining on them, must be removed to the racks in the barn already prepared for their reception, hanging each stick so far from the preceding one that the plants are not allowed to touch each other. It will probably need no further attention until after the fall rains set in, when it will be sufficiently cured and in "proper case," that is, damp enough to be handled, and pliable as buckskin. It should then be taken down and removed from the sticks, and "bulked" on a floor raised from the ground sufficiently high to admit of a free circulation of air. To "bulk" it in the best way, the butts of the plants should be laid outwards, and make the length and height of the file to suit convenience, as it is best then to "bulk" the whole, it being uncertain when it will be in just the right case again, and if not too high in "case," will not damage to remain in "bulk" any length of time, but, if in too high "case," it will heat, and must be opened and rebulked immediately.

It can now be stripped and made into "hands," at leisure, but it is best to have this done as soon as possible, for if it sweats in bulk the leaves will adhere to the stock and break in pulling off, thereby both wasting and injuring the tobacco.

When ready to strip, arrange a table sufficiently high for a man to work at conveniently while standing. The operator will then take one stock in his hand at a time, strip the leaves off, and lay them in three piles, assorted as dark, light, and broken, and as enough of each is obtained for a hand, of which about five or six should constitute a pound, tie them up by wrapping a leaf around the butts, drawing the end through in such a manner as to hold it firmly in its place. If the weather is dry during this operation, "bulk" it as fast as handled; if moist, bulking it every night will be sufficient.

In bulking, lay two tiers of hands together with the butts out, having the tops lap on to each other sufficiently to keep the centre even with the outside. Lay continuous tiers close together as possible in the same way, as the more in bulk the sooner it will sweat, which improves the quality of the tobacco very much; in fact, it is not cured until after sweating. If it should get too hot, it must be opened and rebulked, putting the outside on the inside each time, and continue this practice as often as necessary, until it gets cool, when it will keep in bulk any length of time; but the better way, after it is thoroughly cured, is to pack it in boxes or hogsheads, pressing it in with a screw, when it is ready for sale and delivery in market.

In the foregoing treatise I have endeavored to be sufficiently minute in detail to enable the most inexperienced cultivator to raise and cure a crop of tobacco, which, I suppose, is the object the society have in view in offering a premium to induce tobacco growers of some experience in California to give their opinions for publication. Much of the experience gained in the Eastern States is wholly impractical—here the soil and climate differing so essentially, that a cultivator fresh from the East is more likely to fail here on his first trial than a person of no experience whatever, but who is willing to learn from every available source, not despising even "book learning."

That our river bottom lands are well adapted to the growing of a superior quality of tobacco, even rivalling the famous aromatic Cuba, I think there is no doubt. The cost of my crop I cannot precisely deter-

mine, as I raise other crops in connection with tobacco, but I have no hesitation in stating that I think tobacco at ten cents per pound will pay as well as the average of other crops. My crop of tobacco, grown on the bottom land of the Sacramento River, will average from fifteen hundred to two thousand pounds to the acre.

ESSAY ON MILDEW.

BY JUDGE WILLIAM DANIELS, OF SAN JOSE.

A PAPER READ BEFORE THE ANNUAL MEETING, JANUARY 29TH, 1864.

This is a minute parasitic plant belonging to an extensive family of *Fungi*, of the class *Cryptogamia*. The seeds of this plant are so minute that they cannot be discerned without the aid of a powerful magnifier. It is indigenous to every country in the known world. The seeds have so little specific gravity that they will float in the atmosphere for miles, though possessing, at the same time, all the requisites of germinating and propagating their species. In the ground it is universal, but most abundant in rich heavy soil, under the shade of trees, especially those of heavy umbrageous foliage, and it is very fond of getting into rooms that are not properly ventilated. It is quite at home in an untidy kitchen. It will make a lodgment in a pile of clothes that has not been properly aired. It will get into a bundle of hay or straw, or into the middle of a stack of a hundred tons, that has not been properly cured. It will settle and take root immediately on the fractured cuticle of the leaves, young shoots, and fruit of the grape vine, the peach, the apple, and the gooseberry. It will adhere at once to any fissure in the stalk or blades of the wheat plant, the leaves and young shoots of the rose bush, the chrysanthemum, or, indeed, upon any plant whatever where extravasated sap has been forced out of its proper channels. Its name is legion, and its depredations on vegetation are often truly alarming. It is the bane of the husbandman and the vine dresser, sometimes destroying nearly the whole crop of the farmer, in the shape of rust, and at other times destroying the crop of grapes in a whole country, as was the case in France a few years ago, and also in the Valley of Santa Clara, to a partial extent, a few years since. Its ravages are incalculable, and I do not know of any good that can result from its existence, except it be to plague careless, indolent, and ignorant men and women; but it cannot live in a healthy plant, nor in a household where there is a careful, industrious, and intelligent housekeeper. It is quite harmless, except where disease or decomposition has already begun. How, then, shall we treat this ter-

rible scourge? There are many ways of killing it for a short period at a time. Sulphur, lime, snuff, salt, diluted in water—all of them are very good to a certain extent. The reason why either of these is of any service is because they absorb the crude sap on which the mildew lives, and without which it never could have secured a lodgment, and it is liable to come again at any time when circumstances suit. Besides, if it does not come again, it always leaves its mark, in the shape of a small scab, very much deteriorating the richness and beauty of the fruit, flowers, and foliage of the vine, the tree, and the plant. How, then, shall we guard against this insidious enemy, and rid ourselves of this poisonous pest? I would say, don't let it have a chance to take root, or anything to feed on. How can I hinder it? I will tell you all I can. In the first place, a tree or plant is not a locomotive. It has not the power in itself to choose or change its location. Wherever the seed germinates and sends up its plumule, or wherever the hand of man has planted the tree, it must remain. It cannot change its boarding house or lodging, nor emigrate to a foreign country, by any inherent powers of its own.

If the seed springs up in unsuitable soil, or in any uncongenial climate, it must stay there (unless some extraneous power interferes) and be subject to the pernicious consequences of unsuitable soil or climate, which is sure to induce disease. Improper food will cause disease in animals; so it will in plants. Unwholesome air will also have a deleterious effect on both; and disease in plants, as well as animals, will be sure to affect the cuticle or outer skin, interfering with the regular perspiration so necessary to the health of the body—and in plants it will often cause eruptions, ulcers, or fissures in the skin of the leaves, young shoots, and even the fruit and blossoms. From all these eruptions viscid matter will issue, on which the seeds of the mildew settles and spreads its poisonous roots, and sends up suckers in every direction. The louse on the rose bush, the borer in the apple tree, are produced from eggs dropped into just such eruptions as these by their far seeing parents; and many varieties of the mildew will, under favorable circumstances, in twelve hours from the time the seed takes root, mature its seeds and send them on the wings of the wind to find some other suitable location. I am confident that some plants imbibe the germs of the *fungi* in their food—as I have seen it in the interior of the turnip, potato, and beet—produced, no doubt, in like manner as worms are produced in the animal stomach. How necessary, then, it is that plants should be supplied with suitable food and a climate congenial to their character, habits, and necessities. In order to accomplish this, a thorough practical knowledge of vegetable physiology is of the greatest importance, not only in the general application of the term, but embracing all the peculiar characteristics of the several varieties, species, genera, classes, and families of the vegetable world. And now, I suppose, some one will laugh at the idea that all this tedious routine of study is necessary to enable a person to raise good wheat, rich fruit, or beautiful flowers. Yes, sir; and you must also understand something about the various kinds of soils, climate, meteorology, etc., so as to give every plant its proper food and suitable breathing air; I know that some of the choicest fruits, some of the largest and handsomest vegetables, have been raised by persons who never gave a thought to the causes which produced such results, and who will sometimes even boast that the articles exhibited had never had any care or attention bestowed on them, and never were noticed until their extraordinary size or beauty attracted the notice of the curious. A luscious bunch of

grapes—a large, delicate, and richly flavored peach, apple, pear, plum, or strawberry—a beautifully tinted rose, pink, chrysanthemum, or hyacinth, with all their rich and delicate fragrance, so grateful to our senses—will sometimes show themselves to the wondering observer without any aid or protection from those on whose domain they ventured to intrude.

But these are mere accidents, or rather providences, droplets from above, to set us to thinking. But, says some one, I thought you was going to write an article on mildew. That's true; but I want my friend and myself to get as far away from it as possible, (not from the subject, but from the mildew.) In order to do this it was not only necessary to show the origin, character, and habits of the poisonous pest, but to show how its influences can be fenced out from our kitchens, our bedrooms, our wardrobes, our laundries, our vineyards, our orchards, our nurseries, and our field crops and fences. Go and plant your vineyard or orchard in a stiff cold soil, (especially if not thoroughly underdrained,) where late spring and early autumn frosts prevail, or sow your wheat on the same kind of soil or location, and you will be sure at some time or other to see or hear of the mildew or rust bidding you good morning. Shall I tell you of the disappointment of the nurseryman who sees at the latter part of the season his apple seedlings all covered with mildew like a hoar frost, just because he sowed the apple seeds in a stiff cold soil, or in an unhealthy exposure? Shall I hint at the vinedresser, who frets and frets at the small quantity and inferior quality of his grapes or his wine, when the mildew has placed its seal on his fruit and his vines, because they are planted in a stiff cold soil in an improper aspect, too near to large heavy foliaged trees, or too crowded together? Look all over this State, count the thousands, nay millions of peach trees denuded, naked, with nothing to cover them but moss or cracked bark. 'Look, as you pass through the orchards in the months of April or May, and count, if you can, the countless number of apple trees whose young foliage and tender shoots are as white with mildew as if the miller had been shaking his sack over them. Just look into some of the vineyards in this State in the months of July or August, if you can bear the sight, and see the sad havoc this ravenous enemy of vegetation—mildew—has committed, all on account of unsuitable soil, improper exposure, or injudicious treatment. But I cannot write much more now. I did not think when I first began that I should have to say one half of what this article contains, but having shown the origin, character, and habits of the mildew, I thought it necessary to throw out a few hints as to the manner of guarding against this infamous pest. I have shown that it carries the black flag of piracy, and unless a thorough blockade be at all times maintained, it will creep into our vineyards, our orchards, our gardens, and our dwellings. It is not the primary cause of disease; but wherever disease, decay, or decomposition has taken place, it will fix its ruthless fangs, and under suitable circumstances, generate almost all other diseases to which the vegetable world is liable. What I have written is the result of a long life of practical experience and observation. I have used some pretty strong expressions, but I have been combatting an insidious and deadly enemy, and in such a warfare I wish to wield the keenest and heaviest weapon available; and if the facts here stated attract the attention of one or more of my fellow cultivators, so as to set them to thinking, and eventually induce them to join in the fight against the common enemy, I shall feel amply rewarded for the time and attention bestowed.

MINING REVIEW FOR 1863.

The past year has been one of such unprecedented activity in the discovery and development of the mineral interests on this coast, and particularly in this State, and the following review, prepared for and published in the "Mercantile Gazette and Prices Current," in a small compass presents so complete a history of the year's transactions in this department of our industry, as to warrant an insertion in this report:

Mining, from its first settlement the primary pursuit in the industry of California, is fast expanding into a leading interest on the entire Pacific Coast. Pursued by the simplest means, and restricted in its earlier stages to a single object, it has gradually been extending until all the precious and many of the useful metals, as well as the more common minerals, have been made the subjects of its enterprise. Confined at the outset to the gathering of free gold, a trifling expense and the rudest contrivance were ample for its successful prosecution. With the partial exhaustion of the placer diggings, the more costly and elaborate business of working the auriferous quartz was entered upon, and finally the still more complex and expensive treatment of silver ores, calling for heavy investments of capital and the employment of a vastly greater amount of skilled labor and metallurgical science. From gold alone we have gone on till silver, copper, coal, and quicksilver have successively been brought within its range, and taken rank among the mineral staples of the country. Step by step this branch of industry has enlarged its area, and pushed into new provinces, until we find it busied with almost every species of mineral, and standing side by side with agriculture and commerce as an agent of profitable employment and productive wealth. That an interest like this should not be overlooked by the political economist and commercial reviewer, will be readily conceded by every one acquainted with its magnitude and promise. As a remunerative field for both labor and capital, it is entitled to the same consideration as these other great sources of material wealth and public prosperity; and we may even count upon its increasing importance till it shall, at no distant day, have attained proportions that will advance it to the foremost rank in our industrial pursuits.

There is, perhaps, no other portion of the globe of like extent containing such a variety and abundance of mineral products as the Ameri-

can possessions west of the Rocky Mountains. Within the limits of our own State there is scarcely a metal or mineral known to science but what is found in quantity sufficient to justify their being worked—if not at present, at least when labor shall have become cheaper, and greater perfection shall have been attained in their modes of treatment. Thus, we have gold, both free and in combination with other substances; silver in all its varieties, of which there are twenty-six recognized by metallurgists; copper, virgin, and with its usual associates, iron, mercury, zinc, lead, tin, arsenic, bismuth, antimony, and platinum, with many others of minor importance, all here in such abundance as render them marked features in the mineralogy of the country, and warrant the belief that they will very soon be extracted on a scale ample to meet every home demand, with a large surplus for exportation. Besides these metals, a great variety of useful minerals abound in all parts of the State, chief among which are coal, salt, sulphur, nitre, alum, borax, asphaltum, chalk, soda, magnesia, and gypsum, with limestone, and different kinds of marble and other building stone, in endless variety. With a field so rich and boundless, it is easy to foresee that the business of mining must grow rapidly on this coast, and hold forever a prominent place among the vocations of our people.

In an annual review of mines and mining operations, the field to be gone over is too extensive to render a notice of individual claims and enterprises expedient or practicable; the most that can be done in such an undertaking being the compilation of a summary of what has been accomplished in the different departments of the business, with an approximate estimate of general results.

PLACER GOLD MINING.

This branch of mining, during the year under review, has been generally prosperous, not only in California, but also in Idaho and Washington Territories, where it has formed the principal business of quite a large population. In this State it has yielded better returns than had been realized for several seasons prior to eighteen hundred and sixty-two, which year, owing to an abundance of water, was one of general success. The copious rains in the fall of eighteen hundred and sixty-one and the spring of eighteen hundred and sixty-two, not only increased the amount of water used in washing, but, by carrying off the immense accumulations of tailings, laid bare new deposits of dust, and greatly facilitated the operations of the miner—benefits that continued to be felt to some extent throughout the year just closed. The low stage of water late in the fall has given those engaged in turning the rivers a better chance than usual for working in their beds. The commencement of these operations has to be postponed until the subsidence of the summer floods caused by the melting of the snow on the mountains. If the first autumn rains raise the streams, as often happens, the time for working is so short that but little can be done; whereas, with low water until a late period, as was the case the past fall, large sums are frequently taken out of this class of claims. Their owners were not generally disturbed this year until late in December, whereby they have been enabled to secure a tolerably fair return for their outlay and labor. The rains that fell about the middle of November, while they failed to interfere seriously with operations in the river beds, afforded sufficient water for several

days' washing in most of the gulch and dry diggings—a thing that does not usually occur so early in the season. Later in that month, and at timely intervals since, rain enough has fallen to afford water enough for working nearly everywhere, except in the more southern counties—a circumstance that was no doubt turned to good account, and large amounts of dust taken out.

Tunnel and hydraulic mining, largely engaged in throughout the central and northern counties of the State, have turned out moderately well during the past year, while some placer diggings, of considerable richness, but limited extent, have been found in new localities. These tunnels, though similar in construction to those driven for exploitation of ore lodes, are undertaken for a different purpose, the object being to reach such deposits of free gold as are supposed to lie too far beneath the surface to admit of the removal of the superincumbent earth, and generally in the basin of a hill having a rim-rock that requires to be cut through to secure drainage. Like the turning of the rivers, these tunnelling operations are apt to be expensive and uncertain, years of the most laborious effort sometimes being consumed in carrying them on. The miner, if he be without capital, performs this labor himself, the work often being pushed day and night, by means of relays of hands, during all this time. In some instances, heavy deposits of gold are found, amply rewarding the adventurous and persevering miner for all his toils, while in others the return is very meagre, or fails altogether. A large percentage of these tunnel and river-bed claims are total failures, the owners frequently losing several years of hard labor, and large sums of money besides. But, with all their hardship and uncertainty, these can hardly be pronounced different in this respect from every other branch of mining. Hydraulic washing is constantly growing in favor, both because of its greater certainty and frequent large returns; but it can only be embarked in by a considerable outlay in the first instance, and requires for its successful prosecution, besides a large supply of water, a sufficient descent to carry off the immense quantities of debris liberated by its operations. It is not, therefore, by every class of miners, nor in every locality where there may be rich deposits, that it can be carried on. Where the conditions are favorable, this style of mining is sometimes attended with munificent results. The range of mining counties extending from Shasta to El Dorado, is the seat of the principal hydraulic operations. In some of these claims many thousand dollars are taken out at a single cleaning up, and but few of them fail to pay their proprietors handsomely, after defraying all expenses, though the latter, between hired labor and water rents, are always heavy. It is in the working of these claims that the immense blasts are in use, a single one exploding from two hundred to five hundred kegs of powder. Their utility lies in the huge masses of earth which they shatter and thus prepare for the ready action of water. In preparing them, a drift is carried under the hill, upon which a face has sometimes been worked more than a hundred feet high. Connecting with this drift are chambers in which the powder is placed, after which its mouth, for a long distance in, is thoroughly tamped with earth. The firing is accomplished by means of a fuse, and many thousand tons of clay, gravel, and cement, are often disturbed by a single blast.

Early in the spring a large number left this State for Idaho Territory, where rich placer diggings had been found the year before. The entire number that had gathered into that country before the season closed, about the first of November, was estimated at thirty thousand. The mines, it would appear, are rich in spots, and though not very extensive,

would have paid largely but for the want of water—a trouble that prevented the great mass of miners making more than common wages, many not being able to do even this. Ditches having been commenced for supplying the diggings with water, it is thought the yield will be larger next season, when it is likely numbers will again repair to that section. Owing to the severity of the winters and the depth of snow, the most of the population leave in the fall, returning again about the first of April. In the latter part of the summer and early in the fall quite an emigration set in towards Arizona Territory, being incited by the reports from that region of rich dry diggings having been discovered at a point some two hundred miles east of the Colorado River. There would seem to have been but little foundation for these rumors, as nearly all who set out returned without visiting the locality, being satisfied with the statements of such as had been through and were coming back empty handed. As nothing more has been heard lately of these mines, it is fair to conclude they did not amount to much.

Mining labor the past season, more particularly in the northern portions of the State, has been scarce, owing to the heavy emigration to Idaho, Reese River, and other remote localities, causing an advance in wages of fully twenty-five per cent.

SILVER MINING.

Of all our metalliferous pursuits, silver mining is the one that for the time being engages most the public attention and absorbs the largest amounts of capital. It is but four years and a half since our people first entered upon this business, which was initiated by the discovery of the Comstock lead about that time, in the Washoe country. Wholly unacquainted with this branch of mining, it is not wonderful that many mistakes should have been made, followed by consequent loss, in these first efforts at carrying it on. Everything had to be learned—not only the management of ores, but the exploitation of the mines, which, besides being far remote and difficult of approach, were situated in a country remarkably destitute of everything needed for their speedy development. That we should be shipping from those mines, in the fifth year of their discovery, twelve millions of dollars worth of bullion, with a good prospect of increasing it largely the next, should be generally satisfactory, however a few may feel sore over the losses they have sustained. To show that this estimate is well founded, we have the fact that Wells, Fargo & Co. sent from their office in Virginia City, during the month of November last, seven hundred and forty-six thousand seven hundred and fifty-one dollars in bullion, which, as is commonly supposed, embraced only about two thirds of the amount taken from the Territory; while many persons conversant with the prospect are of opinion that the product for eighteen hundred and sixty-four will exceed twenty millions of dollars. That it will be sufficiently large to justify the calculations made in certain quarters is not at all probable, these evidently having been based upon the tales of travellers, the representations of stock dealers, and other equally loose and unreliable data.

The argentiferous leads are not confined to the neighborhood of the first discoveries, but have since been found scattered over all parts of the Washoe country. None, however, has elsewhere yet been met with carrying so large a body of rich ores as the original Comstock at Virginia City. Some claiming to be equally rich, but comparatively small, have been found at other points. The localities of the other principal

mines in the region east of the Sierra Nevada, naming them in the order of their discovery, are the Esmeralda mines, a little over one hundred miles south-southeast of Virginia City; the Humboldt, one hundred and sixty miles northeast; the Silver Mountain, sixty miles south; the Peavine District, thirty miles north; and the Reese River country, one hundred and seventy miles east-northeast, embracing, like the other sections named, many districts, and flanked by two of more than ordinary promise—the Cortez, seventy miles north, and the San Antonio, one hundred miles south of Austin, now the principal town in the Reese River region. Besides these, there are many other isolated districts in various parts of the country, all advancing claims to great mineral wealth, and perhaps none the less meritorious from having been less talked about than the others. Thus there is a cordon of districts about Virginia, numbering a score or more within a circuit of as many miles, each containing numerous ledges impregnated more or less with the precious metals, and upon which a large amount of work in the aggregate has been done.

Lying south of Virginia, and extending from the Town of Gold Hill to Carson River, a distance of eight miles, is a tract of country embracing the Gold Hill, Devil's Gate, and Sulphur Spring Districts, containing a multitude of ledges, many of them large and exhibiting fair prospects in the outcrop, and upon which a vast amount of work has been done, operations having been commenced upon some of them in the fall of eighteen hundred and fifty-nine, and continued steadily ever since. Here are scores of tunnels, some of them more than two thousand feet long, and shafts without number, varying in depth from fifty to three hundred feet.

Within this tract, large enough for two or three good sized townships, there is hardly a square mile but has its work of this kind, while in some sections every acre contains its shaft, tunnel, incline, open cut, or other monument of the laborious enterprise of the hardy and industrious miner. In some instances these works are executed by companies, in others by individuals, and frequently by persons who, having nothing to invest but their own labor, have themselves toiled incessantly for years, engaging in other pursuits only long enough to earn sufficient to support them meantime. After being prosecuted for a few months, most of these works were suspended, and in many cases entirely abandoned—the ledges not turning out, so far as explored, according to expectation. Subsequently many of them were resumed, and for the past eighteen months have been pushed vigorously, the success of a few demonstrating that the pay ores throughout this region lay far beneath the surface; and the theory is now held that only great depth is required to establish for these districts a very general success. However this may be, certain it is, the opinion is supported by a number of practical tests, while a few have tended to establish an opposite conclusion. From some of these ledges considerable quantities of pay ore of a medium quality are now being raised, while others promise soon to contribute their quota. Several mills on Gold Cañon and Carson River are now running upon it with results satisfactory to parties concerned.

What has been said of the three districts above mentioned might aptly be applied to several others in the vicinity of Virginia City, as, for example, the Flowery, a few miles east, in which several small mills have been running, in good part on rock procured in the neighborhood, and where recent developments would seem to show that only depth is required to justify the reputation that attached to certain ledges in that district at an early day.

Of the Palmyra District, lying east of Carson River, nearly the same is true. Here, as early as the summer of eighteen hundred and sixty, a great number of ledges were located, and some superficial work performed upon them, but which, failing to develop a Comstock Lead, then the standard, were afterwards given up; and not until a short time since, when deeper sinking disclosed the true character of the leads, did the public come to appreciate the value of this district and perceive the mistake of the early pioneers. In this district one very efficient mill is already at work, with preparations in hand for the erection of others, all to be employed upon the rock in that neighborhood.

To the west of Virginia and on the opposite slope of the mountain range in which the Comstock Ledge is situated, lies the Argentine District, laid out and organized almost simultaneously with those of Virginia and Gold Hill, and which, after attracting a good deal of notice in the fall of eighteen hundred and fifty-nine, when a number of ledges were located and some work done, was afterwards so completely deserted that for a time ownership was asserted to scarcely a single claim there. Here, too, on the renewal of and with a little more thorough work, the leads once despaired of are exhibiting a much more favorable aspect, a few of them having already turned out small lots of pay ore.

A number of other cases might be cited to show that one of the most prolific sources of failure in what are termed outside mines has thus far been the superficial character of the excavations made in prospecting them. In fact this would seem to have been the great trouble heretofore in Esmeralda, Humboldt, and other localities prominent before the public for a number of years, and which, if it not to be concealed, have so far come far short of their early promise. Not but what explorations in an infinity of cases have been undertaken in opposition to the teachings of science and common sense, and millions of money thrown away upon mines that were no mines at all; but still, the great number of failures that have hitherto marked our mining enterprise is to be attributed to the shallow and insufficient character of our exploitations, rather than to the absence or poverty of the ledges themselves. We were, so to speak, spoiled by the character and position of the first silver mine found in the country. The Comstock Ledge, the pioneer on American soil, exhibited at the point of discovery, an immense mass of rich ore in its very outcrop. Lying almost upon the surface were the concentrated sulphurets that, first revealed to mortal eyes, caused so much trouble to "Old Virginia" while engaged in gold washing at that point.

In all their subsequent researches after this metal, our people, keeping the Comstock ever before them as their guide and exemplar, sought only for leads under like conditions. Hence the miscalculations and mistakes which the experience of several years is only now beginning to correct. We have but lately ascertained that only very rarely do the rich ores in these veins lie exposed as in the case of the Comstock, and that whether the adage that "it takes a mine of gold to work a silver mine" be literally true or not, it at least conveys a wholesome admonition to those who propose engaging in that somewhat precarious business. The miner is beginning to find out that a pick and shovel and sack of flour, though backed up by a brave heart and willing hands, are hardly adequate to the work of driving tunnels and sinking shafts, to say nothing of the mills and reduction works necessary in silver mining. But having at length, after years of tribulation, learned these things, we may be expected now to get on better with a business which, these difficulties mastered, has rarely failed to prove profitable to those engaging in it.

Leaving Virginia and Gold Hill, with their numerous mills and wonderful mines, surrounded by an extensive country full of metalliferous leads, and passing to Esmeralda, the locality of the second important discovery east of the mountains, we find here also a cluster of districts permeated with quartz leads bearing both gold and silver, and in about equal proportions. In some of those districts, especially the original Esmeralda, these ledges are very numerous—in fact, so much so as to form in places a perfect network, leading to much uncertainty and contention, and consequent litigation. In this district there are some eight or ten mills, the first having been erected in the summer of eighteen hundred and sixty-one, and the others along at intervals since—the last and largest, that of the Real Del Monte Company, having just been completed. It is one of the most extensive and perfect in the Territory, and is said to have cost two hundred and fifty thousand dollars. In the outside districts are several mills of less capacity, making the entire number in the Esmeralda region at least a dozen, yet the amount of bullion coming from that quarter has not been large. Of late it is on the increase, and it is thought by those most conversant with the subject that for the future the increment will be large and constant. To account for the meagre returns from these mines, it is said the mills have heretofore been unable to successfully treat the ores, some failing from want of mechanical capacity, and others from lack of metallurgical skill—difficulties and deficiencies that, it is claimed, have now been, in good measure, overcome or supplied. Another obstacle, at least with some of the mills, has been a lack of water—a trouble that threatens always to be a serious drawback to the prosperity of that whole region. A project is reported to be on foot for bringing in a supply adequate for present wants. Should this be accomplished, it would no doubt speedily tell on the bullion product, and tend to a much more rapid development of the mines. In the vicinity of Aurora, the chief town in that quarter, and locality of most of the mills, there is plenty of excellent fuel for generating steam; only water is wanted to insure any amount of motive power demanded by the requirements of the mines. In most of the other districts there is less fuel—in some of them none at all, though in several of these there is quite an extensive water power furnished by the East Fork of Walker River and its tributaries.

In the Humboldt region, the same drawbacks and embarrassments have been encountered as at Esmeralda, only perhaps in an aggravated form. Here, in addition to a most rebellious class of ores, has been superadded a very scant supply of water, and an almost entire destitution of timber. While, as at Esmeralda, there are here no trees in the vicinity suitable for lumber, there is, moreover, very little wood fit for fuel. A few stunted cedars, all of which will be swept away in the course of a few years, is the only growth—there not being within one hundred miles of the Humboldt mines a tree large enough to make a board or any part of a house frame. That they have rich silver lodes, however, and a great number of them in that country, is indisputable. That the mills, of which there have been three or four small ones running by spells for the past two years, should have turned out such an inconsiderable amount of bullion, is explained by the causes already mentioned. Besides, Humboldt was somewhat later getting into the field, and is less easily reached with freights than her southern rival. That another year will tend to advance this district in public estimation, and help to make good the claims put forth by its friends, we verily believe.

Silver mountain, a name first applied to a single district, and afterwards extended, like Esmeralda, Humboldt, and Reese River, to the surrounding region, embracing many districts, occupies an extensive basin formed by the Sierra Nevada on the south and west, and a lofty spur putting out from that chain toward the northeast. This basin, which lies nearly due south from Virginia, is situated on the head waters of Carson River. Its surface is exceedingly rugged, being cut by numerous deep ravines—the channels of the various branches of that stream. The entire region, though east of the Sierra Nevada mountains, is wholly in the State of California, being mostly within the limits of Amador County. The ledges, large and numerous, are remarkably well defined, and under the application of three years' steady labor, are now in a forward state of development. Owing to its isolated position, however, being hedged in by mountain ranges, impassable to teams, but little, comparatively, has been heard of this district beyond its own precinct. Without wagon roads, it has been impossible to get in machinery, and as a consequence there is not as yet a single quartz mill within the district. During the past summer wagon roads were commenced, which, having just been completed, there is now every facility for taking in heavy freights, and arrangements have been made for the erection of several mills early in the spring. Apart from the very promising character of the ledges, there is not among all our silver bearing districts another so favorably situated as Silver Mountain, whether we consider its greater security for person and property, or its advantages for the cheap raising and economical reduction of ores. Located in a community where mining interests are amply protected by legislative enactments, and the laws governing them have become fixed and certain by frequent adjudications; within hardly more than a day's journey of San Francisco, the great mining mart and point of supply; in the midst of splendid forests, suitable alike for fuel and lumber, with a water-power capable of driving a thousand stamps, and enjoying the benefits of a staid and industrious population, a fine soil, much of it adapted to tillage, and covered with native grasses, and a climate highly equable and salubrious, it would seem to open a field alike inviting to the laborer and capitalist; and, unless we greatly overrate the resources of this region, California will be able soon to boast of silver mines quite as rich, and even more profitable than those of Washoe, or any other country outside her borders. At least, we would recommend, at the hazard of seeming a little partial, that such of our citizens as contemplate engaging in this business when the spring opens, take Silver Mountain in their way while journeying to other more remote but less promising localities.

Of Reese River, as a permanent and productive mining region, perhaps not enough is yet known to warrant an absolute opinion of its merits, one way or the other. That a metalliferous country of great extent exists in that quarter is not open to question. Throughout an area fully one hundred and fifty miles long, by twenty-five or thirty broad, gold and silver bearing lodes, some of them rich, at least upon the surface, have been found. In certain localities, as about Austin, the centre of the original Reese River District, these ledges are exceedingly numerous, and, though narrow, and showing but little outcrop, many of them are highly impregnated with the precious metals, silver being largely in preponderance. Should it turn out that these ledges expand, still carrying a good body of rich ores, on being opened to a considerable depth, then their productiveness and permanency may be considered tolerably well, if not sufficiently established. But this is precisely the point that remains to be settled, very few of these veins having yet been penetrated to a depth cal-

culated to dispose of it satisfactorily. A few have been opened to a point one hundred feet or more beneath the surface, others not so much. In a majority of these cases the ledge has been found to expand slightly and to carry an increased amount of ore. In others contrary results have happened. In all, the ores have changed on reaching the water level, from the friable bromides and chlorides to the more compact form of sulphurets, the latter being often associated with antimony and other intractable substances. Hence the difficulty experienced latterly with the mills, and the unsatisfactory results of their crushings since commencing on rock extracted from the deeper mines. Whether the same troubles will attend the working of ores in other districts, where the ledges are larger, and in other respects geologically if not chemically different from those in Reese River proper, remains to be seen. From both the Cortez and San Antonio Districts rumors of recent extraordinary discoveries have lately come to hand, and which, if they be but partially true, would seem to fix for them a brilliant future.

There are at present six or seven mills completed at Reese River, with several more on the way, and orders given for the machinery for a still larger number; and should the mines get no set back, heavy shipments of bullion from that quarter may be looked for next season. A first class mill is now on the road to the Cortez District, where it is to be set up and got to work forthwith. The ledges there, though few in number, are said to be much larger than those at Reese River, and to carry a heavier body of ore. There is also, adjacent to those mines, an abundance of fuel, with a fair supply of grass and water, the latter being tolerably plentiful, except at a few points, along the entire Toiyabe range of mountains, in which these mines are mostly situated. Taken altogether, there is good ground for believing Reese River and its adjuncts, though they may not do all that their more sanguine friends call for, will not disappoint the expectations of such as rest satisfied with a fair return for their outlay and labor.

After having thus glanced at the leading features of the more important mining localities, there remain yet others, whereof some are scarcely less entitled to notice than those already mentioned. Keeping still within the limits of Nevada Territory, we find in the Peavine District, beyond the Truckee—in the Black Rock country, north of Honey Lake—in the East Range, between the Humboldt and the Cortez mines—near the Mountain Well, on the Overland route, and at Silver Hill, a little further north—on the Forty Mile Desert—in Ruby Valley—at the base of the Sierra, about Genoa—on the foothills, at Clear Creek, Washoe, and Galena, and at divers other places widely scattered over the Territory, not only traces, but such large and valuable deposits of this metal as must shortly induce extended operations at every one of the points indicated. At some of them a great deal of labor has already been done, and what further remains to be discovered in this line, or how large may be the product of the lodes hitherto found, the future alone can determine.

Although Washoe has thus far proved itself pre-eminently the land of silver, California, as has been seen, and even Utah, Arizona, and Idaho, may justly lay claim to very rich and extensive deposits of this metal. In several of the northern counties of the State, mixed veins of gold and silver, and in some instances of very fair silver, have been found. On Greenhorn Creek, six miles east of Grass Valley, a number of ledges were opened over a year ago. Subsequent crushings have proved them to be rich, the prevailing metal in some being gold and in others silver.

In Sierra, Plumas, and other counties in that part of the State, veins are being worked for silver, and, as it is stated, with good prospects of final success. During the past summer, a district was laid out and many claims taken up on the eastern slope of the west summit of the Sierra Nevada, in the vicinity of Lake Tahoe. Several hundred people repaired to the spot, and up to a late period the business of opening the leads was going on vigorously. In the Blue Mountain District, lying in Amador and Calaveras Counties, and partially on the summit and western declivity of the Sierra, some extremely rich silver bearing lodes were discovered during the past year, and though scarce anything concerning them has found its way into the public prints, the proprietors entertain a most exalted opinion of their merits. Following south through the tier of counties along the western base of the Sierra Nevada, we find there is scarcely one, from Calaveras to San Bernardino, but advances some claim to be the repository of silver, and not in every instance without good reason. In most of the southern coast counties, too, we hear of explorations on foot, either for the discovery of new or the reopening of ancient mines. At various points in the Coast Range, in Monterey, San Luis Obispo, Santa Barbara, and Los Angeles Counties, tunnels are being run and shafts put down in pursuit of silver ores, on the strength of favorable assays obtained from float rock and croppings. It is a historical fact that silver mines were wrought at Alisal, forty miles east of Monterey, in eighteen hundred and six and eighteen hundred and twelve, but discontinued about the latter period, the vein being lost. About a year ago work was resumed near this spot, and, as is supposed, upon the former lead.

Passing over the Sierra into the extensive but barren and isolated region of Owens River, we find mining enterprise actively engaged over a large scope of country, embracing what is known as the White Mountain, Inyo, Russ, Coso, Slate Range, Argus, and Telescope Districts. Here are a number of mills, some of which were started over a year ago, while others are just getting under way. Several of them are reported to have lately made very successful runs, cleaning up a large amount of amalgam, yielding, as a general thing, more gold than silver. Owing to the Indian troubles, operations in that section have been greatly interfered with during the past two years. These having been quieted, a more prosperous state of affairs may be looked for, immigration having already begun to flow in quite freely. On Owens River there is a considerable tract of good land; and here, too, wholesome water for domestic purposes, with enough to drive a moderate amount of machinery, can be had. In the Sierra, some twelve or fifteen miles west of the river, timber is abundant; but throughout nearly every other part of this region both wood, water, and grass are extremely scarce—obstacles that, with its remote and isolated position, will go far to counteract the attractions afforded by its great mineral wealth, and tend much to retard its development.

On both the California and Arizona sides of the Colorado River, silver lodes of manifest value are met with; but owing to the great scarcity of wood and water, and the general sterility of that entire country, the facilities for reducing the ore are very limited, such only as will justify transportation possessing for the present much value. In Utah Territory, silver bearing ledges, not unlike those found in the vicinity of Reese River and other portions of Washoe, are quite numerous, and will no

doubt soon be worked with equal or perhaps greater profit, the staple articles of subsistence being cheaper there than in the adjoining Territory. In the Boise country, and other parts of Idaho, samples of rich silver ore have been obtained, and many ledges taken up, for the development of which companies have been formed and other preliminary steps taken.

From the foregoing cursory inspection it will be seen that the argentiferous field of California and adjacent Territories is of immense extent, and that whatever losses may have heretofore been sustained in mining operations, some of them ruinous and vexatious enough, we are but on the threshold of a business capable of almost infinite expansion, and which is worth some little personal sacrifice in this its first feeble stages and struggles for recognition as a legitimate pursuit. Let those who have lost money by mistaken investments remember that they are not the only sufferers, thousands of laborers having lost what to them is even more important—months and years of severe and unrequited toil. If individuals have been impoverished, the community at large has been enriched; and although silver mining, as a whole, may not yet have refunded the money spent on its behalf, it is easy to see that it will ultimately make square all accounts, having already infused additional vigor into every other calling, and added many per cent to the value of property throughout the whole Pacific coast. As a rough showing of what can be done where the business has obtained headway, the following is submitted:

There are now considerably over a hundred quartz mills in operation in the Territory of Nevada. These carry from five to forty stamps each, and have been erected at a cost ranging from ten thousand dollars to one hundred thousand dollars—three or four, at least, having exceeded the latter sum. The Gould & Curry mill, with its surrounding improvements, has already involved an expenditure of seven hundred and fifty thousand dollars, which it is believed will be increased to nearly one million dollars—even more, when finally completed. About three fourths of these mills are driven by steam, and the balance by water. Of the entire number in the Territory, seven eighths are in the vicinity of Virginia City, the furthest being not over fifteen and the most of them but a few miles distant. The most of them receive their supply of rock from the claims near that place and the Town of Gold Hill.

It is calculated among mill men that every stamper will crush a ton of rock in twenty-four hours. If we use the number of mills exceeding one hundred to offset those that are stopping for cleaning up and repairs, we will have at least one hundred mills in constant operation. These will carry, on an average, ten stamps each, making one thousand, with a capacity for crushing one thousand tons of ore daily. This ore will yield at the rate of fifty dollars per ton, giving a daily product of fifty thousand dollars for the Territory, or a total, allowing three hundred working days to the year, of fifteen millions of dollars per annum. Such is the miner and mill man's mode of reasoning and reckoning. Such, however, may not be strictly the facts when we come to square things by actual results; and though the mills may at this time be yielding more than the yearly average would indicate, certain it is, the bullion shipments, so far as we can get at them, give but little more than half that sum as the product of Nevada for the year last past. These shipments however, do not fully represent the gross product of the mines, as some, though not much, bullion makes its way out of the Territory in private hands or through other channels, of which they take no cognizance.

Small lots of choice ore are also frequently sent abroad for treatment, while immense quantities of the poorer classes accumulate about the mines, being reserved in the hope that they may some day, through cheapened labor and improved processes, be worked with profit. Many mills also omit to work their tailings very closely, saving them for a like purpose.

To illustrate how rapidly communities grow up and how vigorously business thrives under the stimulus of this species of mining, a brief glance at the history and condition of affairs in Washoe will suffice. In four years the population of that country, from less than two thousand, has increased to sixty thousand, the value of property having multiplied in a much greater ratio. Estimating everything at a low figure, five millions of dollars has been expended in erecting quartz mills and reduction works; another five millions of dollars has been laid out in opening the mines, and three times as much in various other kinds of improvements. In wagon roads alone, leading into and through the Territory, five hundred thousand dollars have been spent—an investment that has paid from forty to eighty per cent per annum. The tolls collected on these roads the past year reached at least the sum of two hundred thousand dollars. The money paid on freights coming into the Territory amounted to fully three millions of dollars—some rating it much higher. About three thousand teams of various kinds are employed in this business, besides numerous pack trains. These facts, coupled with the prospective increase of business, should be all the argument necessary to demonstrate that the one great and pressing want of Washoe is a railroad connecting it with San Francisco. No where else is a railroad needed so much, and nowhere else would one pay so well.

The Reese River country, which one year ago contained not over fifty persons, all told, and could boast nothing nearer a town than some dozen wretched huts, has now five or six thousand inhabitants, with one good-sized city and several thrifty villages. Six months ago there was not a quartz mill in that region; now there are ten or twelve—counting those in course of erection or on the road in—six or seven being already in operation. With such facts before us, it is easy to divine what must be the future of a country whose main reliance and principal branch of industry is silver mining. To make this business, however, or rather that branch of it which consists in dealing in stocks, not only profitable but respectable, it must be divested of the wretched character—hardly better than that of public gambling—which has come to attach to it. This evil must, of course, soon cure itself—all that is necessary to its instant eradication being the abandonment of any attempt at operating in a stock not known to possess intrinsic value, and all meretricious efforts at inflating prices.

QUARTZ GOLD AND SILVER MINING.

This branch of business was extensively engaged in as much as ten years ago, in California. Nearly all the earlier efforts, though in most cases backed by large capital, were ruinous failures. So completely was the public dispirited with these trials that for many years the business was wholly neglected, except at Grass Valley and a few other points in the State. The obstacles to success having at length been in a measure overcome, quartz mining gradually revived, and for several years past has been carried on in a great many localities, and generally with profit. Some notice of it might properly have been taken in our remarks on silver mining, as at many of the places therein mentioned much of the rock

is worked merely by a gold-saving process, bringing it under the denomination of quartz mining. For example, the rock from some of the rich claims at Gold Hill is not treated for silver at all. So, too, the boulders of which there was so much talk, found in the Mogul District a year ago, and the equally rich lead of the Santa Eulalia Company, in the Alpine District opposite, are simply worked as auriferous quartz. The same may be said of most of the rock in Arizona, as also of that in the Owens River country, and other sections in California.

At the present time there is not a county in the mining region of the State but what has within its limits several, some of them a large number, of quartz mills in constant operation. Many of these are expensive and well appointed establishments, being driven by steam, and supplied with every improvement and appliance known in the present advanced stage of the business. In the wildest glens of the Sierra, all through the foothills, on nearly every mountain stream, is to be found some sort of a quartz-crushing establishment, ranging in capacity from the Mexican arrastra to the forty stamp mill. In Plumas, Shasta, Sierra, Yuba, Nevada, Placer, Tuolumne, and Mariposa, the business is now very largely and profitably carried on. The earnings of some of these mills are enormous, running from five thousand dollars to fifty thousand dollars a month. Five thousand dollars, and even six thousand dollars and eight thousand dollars at a single cleaning up, is no unusual thing. At Gold Hill, Nevada Territory, a single foot of ground often yields a clear profit of one thousand dollars per month, and occasionally much more; California not being without similar examples. Without particularizing further, then, quartz mining as conducted at present may justly be classed among the most extensive and lucrative branches of business now carried on in California, and one that has, perhaps, as bright a future before it as any other.

COPPER.

If the gold and silver mining interest on this coast seems to open a field of illimitable wealth, copper points to one equally rich, and to the poor man, perhaps even more inviting, since a lode of this ore once struck, if only of medium value, can by judicious management be made to defray all the cost of its full development. The moment a ton of ore is on the surface, it can, if it contain only as much as ten or fifteen per cent of metal, and is tolerably accessible, be sold for cash; or capitalists will advance upon it an amount approximating its value at the smelting works, deducting freight, insurance, and use of money, leaving to the seller whatever more the ore, when smelted, will command in the market. Every variety of this ore is to be found in California, that to be sought after as a source of profit being the sulphurets, as most likely to exist in quantities and yield a paying per cent.

It is only a little over two years since the attention of the mining public of this State was directed to the subject of copper, a ledge carrying, as was subsequently ascertained, a heavy body of this ore, having been found about that time in Calaveras County, at a point since designated Copperopolis.

The Union mine, of the latter place, has been shipping ore with regularity during the past year, averaging about three hundred tons monthly, assaying twenty-two per cent.

The Napoleon has been shipping, since July last Numbers One and Two ore, averaging about one hundred tons per month. In addition to this,

the mine has produced about one thousand tons of low grade ore, assaying from eight to twelve per cent.

The Cosumnes, of Amador County, have sent forward one hundred tons during the past year.

The Newton mine has shipped, since June last, about nine hundred tons.

The Lancha Plana has sent to this city one hundred and fifty tons during the past year.

The Alta mine, of Del Norte County, have shipped to Europe three hundred and fifty tons, assaying about twenty per cent.

COAL.

Second to no other production in its bearing on the permanent prosperity of the State is the article of coal. As an agent of promoting our mechanical and manufacturing interests, and rendering our other mineral resources available, it has the strongest possible claims upon our attention. In connection with the vast beds of superior iron ore already found upon the coast of the North Pacific, it becomes doubly important, since, with the facilities it will afford for its manufacture, we may soon hope to supply ourselves with this very costly but indispensable article. The economical generation of steam, whether for the purposes of navigation or the propulsion of machinery, will probably go further than any other one thing in deciding the question of national supremacy. In comparison with a permanent supply of cheap fuel, gold and silver are commodities of altogether secondary importance. Better far that our mines of the precious metals utterly fail, than that it should be determined we had only a limited supply or an inferior character of coal on this side the continent. That such a lamentable result, however, is not likely to happen we have good reason to hope. The only points in our territory, at which coal is now being obtained in marketable quantities, are Bellingham Bay and Mount Diablo. From both these localities a very fair article is being procured, and though inferior to the imported, it answers very well for a domestic fuel and the purposes of making steam. At a great number of places, both in California and the neighboring Territories, signs, and, in a few instances, small veins of coal have been found. At Corral Hollow, Alameda County, there is quite a heavy deposit, which, when greater depth is attained, it is thought will yield a good article of fuel. The following are some of the localities that have exhibited carboniferous signs sufficient to entitle them to notice. In the Coast Range, on Bear Creek, to work which a company has been incorporated in Marysville. At San Bonita, Monterey County, where the coal is sufficiently pure to answer for the forge being used for sharpening the picks of the miners. At Mark West Creek, Sonoma County, where, from a shaft one hundred and twenty-six feet deep, an article suitable for blacksmiths' use, also used for generating steam and gas with success. Eight miles from Jacksonville, Oregon, a heavy deposit of coal has been discovered, but not tested sufficiently to settle its character. On Dry Creek, near Folsom, are good indications, to prospect which a company has been formed and work commenced. In the Slate Range, Tulare County, a seam of something very like coal crops out, four feet wide; it is of a soft nature, and burns freely. Near the Half Way House, on the road from Placerville to Washoe, a substance sufficiently carbonaceous to burn under the blow-pipe has been found; it is called coal, but is probably lignite. At the Whitman coal mines,

Nevada Territory, over fifty tons of coal, suitable for burning in grates and even driving steam mills, has been taken out. On the Humboldt River samples of good coal have been found, but the discovery has never yet been properly followed up. In Esmeralda a sort of petrified mineral pitch is met with, which is inflammable and emits a strong heat. With these and many similar examples, it may be safely concluded that we are not without our carboniferous fields, the contents of which will be so much needed for the development of our other forms of metallic wealth.

PRODUCTION OF COAL, ETC.

From Bellingham Bay, Washington Territory, about nine thousand five hundred tons of coal have been received during the past year, and from Nanaimo, Vancouver Island, about six thousand tons in the same period.

From the Mount Diablo mines shipments of coal have steadily increased during the past two years, and there has been for some time an active demand in this market for all they have produced at rates advancing from eight dollars to twelve and fifteen dollars per ton. The Pittsburg mine was opened in eighteen hundred and sixty-one, and during that year produced about seven hundred tons per month; during eighteen hundred and sixty-two, about one thousand tons per month, and for the year eighteen hundred and sixty-three, twelve hundred tons monthly. The company have been working chiefly the out crop so far, but are now tunnelling to cut all the veins, employing thirty hands. This is an incorporated company, with two hundred shares of five hundred dollars each, and could at present pay two per cent per month on the capital stock.

The Union mine commenced shipping coal October twenty-sixth, eighteen hundred and sixty-two, averaging eight hundred tons per month until November first, eighteen hundred and sixty-three. From November first to December first, eighteen hundred and sixty-three, six hundred tons were delivered; and from the latter period to January first, eighteen hundred and sixty-four, twelve hundred tons were sent to this city. In the spring it is thought that two thousand tons per month can be sent to market from this mine. The company employs forty hands, who are now working the first vein four feet wide; they have three other veins not yet prospected; one at a depth of ten feet is nearly three feet thick.

Two tunnels are now being run toward the first vein, three hundred feet each in length.

From the bottom or end of the incline, (two hundred and fifty feet from the surface,) drifts have been run on the vein both ways, from which the coal is taken out. Sixty thousand dollars have been expended on the mine thus far, most of which sum has, however, been derived from sales of coal. This company is not incorporated, and is composed chiefly of persons residing in this city.

The Manhattan mine was opened in eighteen hundred and sixty. During the year eighteen hundred and sixty-two, the average yield per month exceeded five hundred tons. For the year eighteen hundred and sixty-three, the mine had produced nine hundred tons monthly. Fifty thousand dollars have been expended thus far on bringing the mine to a paying condition. This sum has been taken out of the mine, being the proceeds of coal sold. A level tunnel, two thousand feet in length, has been run on the vein. Side drifts to cut other veins are in progress, at

a perpendicular depth of one thousand feet from the surface. This company is not incorporated.

The Black Diamond mine was opened in eighteen hundred and sixty-one, and sent to market that year six hundred tons per month. During eighteen hundred and sixty-two, one thousand two hundred tons per month were shipped, and for the past year the average yield will exceed one thousand six hundred tons. Seventy-five thousand dollars have thus far been spent in developing the mine, but only four thousand dollars have been required from the shareholders. This company is incorporated, with five thousand shares of one hundred dollars each, which are firmly held at about forty dollars. A level tunnel, nearly one mile in length, has been run on the vein. The mine is at present paying about sixty-two and one half per cent on market value of stock.

The Eureka mine, an incorporated company, of four thousand shares of twenty-five dollars each, has been shipping regularly since eighteen hundred and sixty-one, averaging during that year eight hundred tons per month, and for the year eighteen hundred and sixty-two nearly one thousand tons monthly. During the past year the average monthly yield will exceed one thousand two hundred and fifty tons. The mine is now in a flourishing condition, and pays handsomely.

Other mines in the Mount Diablo region are being prospected and opened, but are not yet shipping coal. The great drawback to the mines before mentioned is the lack of convenient and cheap access to water communication, some five miles distant. All the coal from these mines is now hauled to the landing at a heavy expense—two dollars to two dollars and fifty cents per ton. A railroad has been projected, but thus far nothing tangible has been accomplished. It is said that there are many difficulties to be overcome in its construction, involving a large outlay of money in excavating, tunnelling, etc. From the landing to this city, schooners and other small craft can ply without difficulty at all seasons of the year.

IRON MINING.

Of iron ores we have every variety, and in quantities wholly inexhaustible; and although no attempts have yet been made to render them available, the time will no doubt soon arrive when, with our facilities for its manufacture and immense consumption of iron, these repositories of the crude material will be drawn upon to meet in part a demand which, already large, must rapidly increase upon this coast for many years to come. Chemical examinations show these ores to be all that could be desired; and it would really seem as if we might produce pig iron at least, leaving the establishment of rolling mills for a later period. For castings we require a vast quantity, and that we could make this kind there is no question, even though our iron may not prove annealable. At many points in the State, and even in the vicinity of San Francisco, magnetic iron is very abundant. In the Washoe country, this and other forms of the ore is found in huge reefs, traceable often for miles. On the Willamette River, near Oregon City, a whole mountain of iron has lately been found, and which, on trial, proves as malleable and tough as the best Swedish. The ore yields seventy-five per cent of pure metal, and the country about being covered with heavy forests, the manufacture of iron could be carried on very cheaply. In Mono County the protoxide of iron, a rare and valuable ore, exists in large ledges. That we shall be able, when transportation comes to be cheapened by

means of railroads, to supply in good part this great commercial need, is quite certain.

MINING FOR PETROLEUM AND ASPHALTUM.

Petroleum and asphaltum both exist in California in quantities that impart to them decided value in the view of economists. The latter is found in immense beds on the sea shore in the vicinity of Santa Barbara, whence it is exported, mostly to this city, being used largely in the construction of sidewalks, roofing, and for which and similar purposes it is well adapted. A company has been formed for carrying on the business in all its branches, whose operations are said to be rapidly extending. In a climate where the heat is never great, like that of San Francisco, asphaltum answers admirably for sidewalks and roofing. At a high temperature this substance softens too much to serve well for these uses. An extensive deposit of asphaltum has lately been found eighteen miles west of Buena Vista Lake. It boils up from numerous springs, being warm and in a fluid state, and about the consistence of molasses when it comes to the surface. As it cools it hardens, taking the form of asphaltum—being in its liquid state, and limpid, called petroleum. It is usually, as it flows from the ground, dark and viscid, thence the popular name of tar springs. During the past summer an extensive spring of this kind was discovered in the neighborhood of Pyramid Lake, the bituminous substance being quite hot and thick as tar.

Petroleum springs, being what constitute the oil wells of Pennsylvania and other eastern localities, are met with at many points on this coast, though the only ones being at present systematically worked, so far as we know, is that at Santa Cruz and another near San Pablo, in Contra Costa County, about ten miles from this city. An association under the name of the Conway Petroleum Company has been incorporated for prosecuting the business at the latter point. Under the direction of their Superintendent, J. H. White, a man of much scientific knowledge and practical skill, they have commenced expensive operations, having bored a series of wells, one of which is already discharging a small quantity of superior oil. Another of these wells, having been sunk to a depth of four hundred and twenty-five feet, struck a reservoir of water which is now ejecting at the rate of fifteen thousand gallons a day, throwing it thirty-five feet above the surface. Iron pipes are being prepared, with a view to carrying this well still deeper, and the company feel confident of obtaining a workable supply of oil. Our knowledge of the best modes of refining these oils is limited, the art being yet in a crude state. There are those amongst us, however, who would seem to understand it, samples of both the illuminating and lubricating oils produced by the Superintendent of the Conway Company evincing that he has pretty well mastered its difficulties.

It is from this petroleum the kerosene and coal oils are distilled. From a report made by Commissioners appointed to institute tests, it also appears that it can be employed economically to generate steam, being a saving of many per cent over any other known fuel. A varnish has also been prepared from it by Captain White, which is believed to be unsurpassed as a material for coating the bottom of vessels, and also preserving wood from rot, and protecting piles from the ravages of the borer. Meeting so many wants in daily life and the mechanic arts, this class of substances must soon come to occupy a very prominent place in the staple products of the country. The works alluded to at Santa Cruz

are said to be well under way, and the prospect of success at that point altogether encouraging. In Santa Clara County, also, oil springs have been found near the Los Gatos Creek, which are being worked by an incorporated company, and are said to promise well.

QUICKSILVER MINES.

This article would seem to be very generally diffused over our coast, if the claims advanced by prospectors are to be admitted. In every direction we hear of discoveries of cinnabar being made, many of them, no doubt, having little foundation in fact—the oxide of iron, or other worthless substance, often being mistaken for this metal. Of the discoveries that created such a sensation in Napa County two or three years ago, but little further has since been heard, and although many companies were formed at the time for working these reputed mines, and some retorts erected, we do not find that much of the metal has ever found its way into the market. The New Almaden mine is under successful headway, turning out a large quantity of quicksilver. The New Idria mine has produced nothing for the past two years, being tied up by legal process. The Enriquita and Guadalupe mines, near San José, are both at work with their usual results.

AGRICULTURAL COLLEGES.

In view of the fact that our next Legislature will be called upon to legislate for the establishment of an Agricultural College in this State, in compliance with the conditions of an Act of Congress donating to the State one hundred and fifty thousand acres of land for that purpose, and in order to bring the subject more fully up for consideration and discussion, we copy the following able paper from the Commissioners of Agriculture, as published in the bi-monthly report of the Agricultural Department at Washington, and bespeak for it the careful consideration the importance of the subject and the merits of the article deserve :

This Department has received various letters asking its views relative to the best system of instruction for the Agricultural Colleges to be established under the Act of Congress of July second, eighteen hundred and sixty-two, donating Public Lands to the several States and Territories, to provide Colleges for the benefit of agricultural and mechanic arts. As Congress had in view the establishment of at least one College in each of the States and Territories, and as the experience of the United States in such institutions has not been either extensive or successful, it is highly necessary that public sentiment should be awakened, that, by enlightened action, success may be obtained. This public sentiment cannot be acted on, in this matter, more speedily than through this Department, and hence it now complies with the request in these letters, not expecting to control this public sentiment, but simply to aid in its development, and to be the means of uniting its action.

But there are other reasons why the Department must ever be deeply interested in the successful establishment of these Colleges. Some of them are the following :

First—The Department needs much the aid it would derive from these Colleges. They will have experimental gardens and farms, skilful Professors to properly conduct experiments, to carefully note them, and to properly report them. Hence, when the Department imports new seeds and plants, it can, through their aid, at once determine their adaptability to this country, and the climate, soil, and cultivation, proper to each. The distribution of seeds, cuttings, etc., could then be made on a most economical basis, because they would be distributed only where they could be advantageously grown. Seeds, when thus tested, could be

grown by these institutions, and thus a large sum of money now sent abroad would be distributed at home.

Second—From these Colleges would be received reports of the experiments made, and these would be placed before the farming public through the reports of the Department, and thus, with the seeds and cuttings distributed, would be communicated the mode of cultivation adapted to each.

Third—A great object with this Department must be to systematize the agriculture of the United States; and how can this be so well done, over a country so extensive, and of such diversified latitudes and products, as by the aid of local institutions, under the direction of high intelligence, and aided by the special agencies which will be found in them?

Fourth—To render most practicable and useful such systematized farming, the aid of institutions having local influence will be essential, as instructors of leading farmers, and to obtain such State legislation as may, from time to time, become necessary to a more speedy advancement.

These reasons, without stating others, are sufficient to show how deep an interest this Department must ever take in the proper establishment of these industrial Colleges.

In considering such establishments, the first inquiry to be made is, *What course of instruction should be adopted by them?*

There are no settled opinions, in answer to this question, to be found in the United States. So far as they have been expressed in the course of study in our few Agricultural Schools, and in the writings of those who have sought to mould public opinion, the instruction proposed has contemplated a preparation for the farm only. The languages have generally been regarded as useless, and the course of mathematical studies has been too limited. In this, we think, lies the failure of our Agricultural Colleges. Such limitation may be adapted to European affairs, where the son seeks to continue in the father's occupation. But here the farmer's son is no more destined to agricultural pursuits than the son of a professional man. Here the merchant longs to be released from the distracting cares of commercial pursuits, and the opulent manufacturer from the dangers of changing markets. Both anxiously desire the rest and enjoyment found in the country life. And with them in this wish is the professional man and the politician. And it is a natural desire; it is a part of man's nature, as it was in conformity with it that God placed our first parents in the Garden of Eden; or, that the homes of illustrious Americans have become a part of their fame, as Mount Vernon, Monticello, Ashland, and Marshfield. And this desire would be a hundred fold strengthened if early education fitted all for an intelligent pursuit of agriculture, as well as other occupations of civilized life. A system of education, to be successful, must be in conformity to the tastes and pursuits of a people. The time is not yet come in the United States when the son will inherit the father's occupation. Nor is it desirable that it should ever be so. The eminent success of Americans in all the pursuits of life; the intellectual and physical energy they have displayed in them; the facility with which this intellect takes hold of the most diverse pursuits—all point to a condition so different, both mentally and socially, from the countries of Europe, that its Agricultural Schools furnish but an imperfect basis upon which to rear our own. We must mark out a path for ourselves.

Congress, in the Act referred to, seems to have been governed by this American condition of things. Its provisions are broad and liberal. It

recites that in the Colleges to be established "the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the Legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life."

It will be seen from this that these Colleges are not to be agricultural only. The education of the mechanic, manufacturer, merchant, and miner, is demanded, as well as of the tiller of the soil. *All* the industrial classes are to be fitted for an intelligent career in the several pursuits of life. Anything less broad would not have been equal justice to all. It requires, too, military instruction—that the citizen may be qualified for duties the discharge of which is now demanded of so many; and it does not exclude "other scientific and classical studies."

The American youth have a broad career before them. Neither the farm, nor the workshop, nor a subdivided labor in either, is to be the bound of their emulation or labor. The son of the farmer must be permitted to obey the promptings within him, and, like Mr. Webster, to hang the scythe on the tree, or, like Mr. Clay, to ride to the highest political stations, as well as on the horse's back to mill. Like Washington, he should be fitted for the chain and the compass, or the camp, or political rule, or the management of a landed estate.

It may be answered in the senseless aphorism that a "Jack of all trades is master of none." The career of Henry Ward Beecher furnishes a reply. He lately told us, when in England, that he was bell-ringer, too, in his first church. When at Indianapolis he published an agricultural paper; and, during the past summer, the *Journal* of that city, alluding to the admiration of strangers for the beauty of its gardens and yards, ornamented with flowers, and evergreens, and shrubs, gave all the credit to Mr. Beecher's teachings when there. He left in the west "the Beecher rhubarb"—a seedling variety, originated by him, not inferior to any other—and he reformed the butter market of that city. And he did these things while he was the first of its preachers. His recent political speeches in England exhibit his power in another field.

Another case, showing the superiority of a general education of the faculties of the mind over the disciplining of a few only, is seen in an eminent American manufacturer and inventor. In exhibiting in England one of his inventions he had the work mostly done there, but made slow progress in completing it. Writing home, he said that in English shops the workmen are trained to such subdivisions of labor that one of them can do the work of only one part of an engine; "that one part must be done before another workman can do his part; that few of them can superintend the entire work of an engine; whilst in his own manufactory here most of his workmen were competent to do this." And to this subdivision he attributes the want of inventive talent in England.

Apart, then, from pre-eminent ability, we see that, both in education and labor, a development of mental power is promoted by a general discipline of all the faculties of the mind, and that instruction dwarfed to a particular pursuit results in a dwarfed mind itself; that the powers of the mind, like those of the body, achieve most when their fully developed strength is centred, for the time, on the accomplishment of a certain object. If our greatest minds have found this developed strength in liberal studies, lesser minds must be governed by the same law of

progress. Confine their faculties to a narrow routine of study, and whilst a few faculties may be partially strengthened, others remain undeveloped.

In the agriculture of England and of the continent, we see the influence of limited instruction. A ploughman continues to be but a ploughman, and a worker in the vineyard occupies the place filled by his grandfather's grandfather. Whatever of progress we find in England and Scotland, is to be attributed to a higher and broader development of mind. Turn to France, and in the following description of its agriculture in the south, we see the results of subdivided instruction. One of our most intelligent Consuls thus writes :

"I received the request from the Agricultural Department to furnish it statistics. I know not what to do. I, who have always so loved agricultural and horticultural pursuits, would certainly be expected to do much in this line. But when I look around, I find absolutely nothing in all France to interest our country in that line. So far is France behind us all in labor-saving machinery, in everything relating to agriculture, or the mechanic arts even, that I know it is the wrong place to seek light. Many things are unearthed at Pompeii and Herculaneum that are much in advance of anything in France. The ploughs are of the style of the ancient Egyptians—a forked tree. Their carts and wagons of the farm are four times the size of our own—awkward and clumsy affairs you might worship and not break the second commandment, for they are the likeness of nothing on earth. The peasants drive in a single hog to market, as in Ireland, and everything else is in the same piddling, picayune style. Is this the style to be imitated by our own large minded, great souled, enlightened, freeborn Americans? Not by my aid or consent.

"This district, and the whole south of France from here to Nice, on the Italian border, is a land mostly of grapes; the eastern half of olives, also; a poor, miserable character of farming, which we should leave, I think, after looking over the whole ground, to the small minded small farmers of Europe. Or when we do go at grape raising, as we will largely in California, let us go at it in our own grand style, as we raise hogs, corn, wheat, etc., etc.; no piddling or scratching like this."

Here we have graphically described the difference between the enlarged American agricultural mind, and the dwarfed European agricultural mind. Our agriculture presented a scope that demanded thought; it was vast in itself, and by its own greatness raised up the farmers of our country to the higher standard we find in the foregoing contrast. But as population becomes more dense, there will be a tendency to European division of labor and its narrow views. This must be counteracted by liberal education. Grand as have been the achievements of American agriculture, it has been aided by a natural richness of the soil, which must be replaced and sustained by the riches of science.

But the American farmer and artisan have not yet achieved their greatest elevation, either in their occupations or in their positions as American citizens. Look into the army and at the civil offices. A stranger to our institutions might readily suppose that the profession of law constituted a privileged class in this country, and that no one outside of its ranks could hold a civil or military official position. Is this just to the industrial classes? Or is it safe to the government? The mission of these classes is not one of toil merely, but of equal position

as citizens. The skilful artisan, the comprehensive farmer, the far seeing merchant, the enterprising manufacturer, should be competent, when occasion demands, to be an officer in the army, or a statesman at home, or a minister abroad.

Our Agricultural Colleges have heretofore failed because they aimed to educate for the pursuit of agriculture only. The sons of our farmers are not less ambitious of distinction than others, and an education that regards them as farmers only cannot meet their approbation. The purpose of an education is to teach men to observe and to think—these are alike essential to all pursuits, and in these operations of the mind all the faculties are called in requisition. A skilful and correct use of their power is the boon of instruction. Their general development is first to be accomplished, and subsequently this developed power is to be applied to particular pursuits. A course of instruction regarded merely as information is not less necessary to one pursuit than another, for a mere farmer, or mechanic, is not less to be discountenanced than a mere lawyer. General science and knowledge is as essential and is as becoming to the one as the other. All pursuits, then, may have a common course of instruction.

From these general remarks, rendered necessary by prevailing erroneous opinions respecting the instruction suitable to the industrial classes, we return to the question asked, that it may now be answered specifically—*What course of instruction should be adopted in our industrial Colleges?*

First—**LANGUAGES.**—Besides the considerations just advanced, a knowledge of the English language, to express his thoughts, either in writing or speaking clearly, forcibly, and elegantly, is as important to one engaged in an industrial pursuit as in a professional. In early years, as twelve to sixteen, a youth cannot make more progress in learning it than by the study of the Latin language. It is a language that has added much to our own. Its study familiarizes the pupil with English words and their meanings, and their use to express ideas both correctly and elegantly. The study of the Latin grammar instructs him in the English grammar. And the knowledge of Latin is absolutely essential, if he would better understand and more readily remember the numerous words derived from this language used in works on the natural sciences.

The German language is used so extensively in the business transactions of many parts of the United States, that opportunity to acquire it should be given in these Colleges. It need not, however, be made an essential part of the regular course of study.

Second—**THE MATHEMATICS.**—The study of mechanical laws is directly connected with the mechanical and manufacturing arts. So far as mathematics is essential to their understanding, to disciplining the mind, and a thorough knowledge of natural sciences, they should be made a part of the course of study.

Third—Of the other branches of study, we cannot do better than to adopt the following, transmitted to the Department by Richard Owen, a brother of Robert Dale Owen, and of the late David Dale Owen, a name familiar to every intelligent citizen on account of his eminent attainments in science, and his practical application of them in geological and mineralogical surveys. Mr. Richard Owen is now a Professor in the State University of Indiana, at Bloomington, and is not less thorough in his scientific acquirements. He has received a military education, also, and until recently commanded a division of the Indiana troops.

A course of study, although briefly laid down, by one who is as practical as learned, cannot but receive the careful consideration of all.

Mr. Owen, in his letter, says :

"I hasten now to furnish, as you request, an outline of the plan of study which I think might be advantageously adopted, throwing out other hints which can receive consideration, provided the means are sufficient and the public mind prepared.

"Finding the great advantage of addressing all instruction, as far as practicable, to the eye, (in addition to that given through the medium of the ear,) I would recommend a museum, (besides the lecture-room, each having its own appropriate specimens and diagrams,) to contain—

"*First*—All the most important minerals, arranged according to Dana's text book.

"*Second*—The necessary rocks and fossils, to illustrate pretty thoroughly each geological period.

"*Third*—A suite of plants, arranged according to the natural orders.

"*Fourth*—Specimens of all the most important seed vessels (chiefly fruits) and seeds, (grains, grapes, etc.)

"*Fifth*—A zoological department, exhibiting the most important animals, from the sponge and polyp, up through the star fishes and sea eggs, worms, crustaceans, and insects. (particularly those injurious to agriculture,) mollusks, fishes, reptiles, birds, and mammals, (including the skeletons of all the domestic animals,) to end with man.

"*Sixth*—Numerous charts, exhibiting streams of time, chemical tables, geological sections, maps of physical geography, giving meteorology, distribution of plants, animals, rain, etc.

"*Seventh*—A good set of philosophical instruments to illustrate the department of natural philosophy and land surveying, such as the air-pump, electrical machine, mechanical powers, rain-gauge, barometers, thermometers, hygrometers, hydrometers, microscopes, sextant with horizon, etc.

"*Eighth*—Models of machinery, as grist mills, saw mills, paper mills, cotton machinery, and the like. Also, improved agricultural implements of every description, and models of barns, bridges, grain houses, etc.

"[N. B.—This museum should be open to the agricultural and normal institutions.]

"INSTRUCTION.

"*First*—For *physical* development, gymnastics, agricultural operations in suitable weather, at least for a part of the classes, (the others taking the succeeding day,) as ploughing, digging, mowing, sowing, etc.

"*Second*—For *moral* culture, religious instruction, moral philosophy, music, (especially vocal in parts,) social gatherings or re-unions, at least for some classes, each week, when they should meet the Professors and their families, having some object to bring them together, such as microscopic examinations, or the magic lantern, music, or portfolios of engravings, etc., to examine.

"*Third*—For *mental* improvement, supposing the elementary branches mastered; then drawing, land surveying, geography, bookkeeping, human anatomy, physiology and hygiene, comparative anatomy and physiology, vegetable physiology, chemistry, mineralogy and geology, botany and zoology, lectures on gardening, pruning, fruit raising, wine making, etc.; agricultural chemistry, embracing lectures on manures, improving worn out lands, drainage, etc.; lectures on stock raising and farriery.

"THE NORMAL SCHOOL.

"In this a great object should be, not so much to convey any particular information of subjects to be taught, as to discipline the would-be Teachers in the best method of imparting instruction in any branch or department.

"Instruction how to convey information to the youthful mind might be given on the following points:

"*First*—Lessons on things (objects surrounding us) of everyday occurrence.

"*Second*—Petalozzi's system of arithmetic, (mental)

"*Third*—Writing on black-board, before using either slate or paper, to give freedom to the hand.

"*Fourth*—The elements of drawing, and practice in estimating distances, areas, etc.

"*Fifth*—Proper mode of teaching vocal music with metronome, tuning forks, etc.

"(These last three comprise improvement of the hand, eye, and ear—consequently the development of three senses; the taste and sense of smell do not require much cultivation.)

"*Sixth*—Making each would-be Teacher lecture alternately on some of the subjects under discussion, so as to practice the imparting of instruction, the Professor criticising, if necessary, his style, mode of handling the subject, etc.

"N. B.—If female Teachers are to be received and instructed, there should be a Model Kitchen for the instruction of young ladies in the proper mode of preparing wholesome food, such as household bread, and of *knowing*, not guessing, when things are sufficiently cooked; also, how to cook without the wasteful and unwholesome use of so much lard, and the advantages of boiling, instead of frying constantly in grease, etc.

"MODEL FARM.

"Connected with the Agricultural College there should, of course, be a Model Farm, and the best of stock, implements, etc.; also a Model Garden and Green-house. Connected with the Normal institution there ought to be a Model School-house and appurtenances, and, as above suggested, a Model Kitchen.

"MILITARY TRAINING.

"Perhaps by carrying out the West Point system of training, as far as consistent with study, work, etc., the necessity of a gymnasium might not be so great as in ordinary Schools and Colleges, where it ought undoubtedly always to be introduced under proper instruction.

"The above may serve to convey to some extent the plan which had been in my head for some time, but which had never assumed quite a definite form for want of knowing the exact circumstances under which such a plan could be worked out, and many details would of course depend upon that. For instance: Congress may, in the grant, perhaps prescribe a certain course; the State, in accepting, may prescribe. The community, in sending, may demand certain things, but the above may, perhaps, at least serve for a basis on which any one knowing the circumstances can work out the superstructure."

AN EVIL AND ITS REMEDY.

This admirable course of study, thus briefly sketched by Professor Owen, needs no comment; it sufficiently recommends itself. But it demands what few of our collegiate institutions have—that museum, apparatus, etc., which aid so greatly in the acquisition of knowledge by presenting, through the senses, clear ideas to the mind.

Why our institutions are deficient in these is obvious enough when we look at their too great number. The educational means of the community have been expended in building edifices, to the great detriment of thorough instruction by the help of those agencies referred to by Mr. Owen. Each State has its dozen of Colleges, and the apparatus, museum, library, etc., of all would be insufficient for one. *Are these industrial Colleges to be virtually destroyed by a like waste of means?*

What are these means? The Act of Congress gives to each State a quantity of land equal to thirty thousand acres for each Senator and Representative in Congress. A State that has unsold lands within its own borders may locate this grant; but those that have not are to receive land scrip, which cannot be located by the State, but only by the assignees of the State, at one dollar and twenty-five cents per acre. When we reflect that the homestead law gives away the Public Lands to actual settlers, and that no large bodies of good public farming lands remain for entry, it is pretty clear that the fund from the grant to the older States will be slowly realized, and then only at a great sacrifice. The law ought to be so amended as to allow immediate location by all of the States. *Must the industrial classes wait for this slow realization of the fund before Colleges so important to them can be established? And must they be limited to an inadequate course of instruction, by reason of insufficiency of the fund?* No! Kansas has so answered, and its admirable precedent should be followed by all other States like situated. No! Connecticut replies by bestowing its grant of lands upon Yale College. The one answers for the West, the other for the East.

The new States of the West and Southwest have had donations granted them by Congress for the establishment of Universities or Seminaries of learning. Among these is Kansas, and wisely determining to consolidate and not dissipate its College funds, it has consolidated the grant for both, merging the first one into the second, thus saving a useless expense in building two edifices when one is all-sufficient, in having two sets of Professors when only one is required, and by this economy securing a museum, apparatus, library, etc., so necessary for the proper instruction of all occupations, whether professional or industrial.

Under like grants, we have the following Universities: Ohio, at Athens; Indiana, at Bloomington; Illinois, at Springfield; Missouri, at Columbia; Wisconsin, at Madison; Iowa, at Iowa City; Michigan, at Ann Arbor. Since these Universities were established many others have been, in these and other States, mostly by religious denominations, in which is usually found such course of instruction as is adapted to professional pursuits, but not to the industrial, for want of the museum, apparatus, library, model farm, etc., mentioned by Mr. Owen. Why retain these State Universities as competitors of these private Colleges? Why not render them efficient, economical, more truly State institutions, by consolidating the grants, and thus creating a College competent to the thorough education of all occupations? The sound policy of such

union is the more obvious when it is remembered that the last Act does not allow any of the fund created by it to be used in buildings. The former grants have provided these, and a skeleton library and apparatus, with a fund competent only to sustain a faculty inadequate to such instruction as the wants of the age and of our condition demand. But all these would constitute a basis on which, as the funds from the recent grant were realized, Colleges adapted to these wants could be built up.

These views are now placed before the public in compliance with the requests that have been made, and with the hope that they will lead others to express theirs.

ISAAC NEWTON,
Commissioner.

COMPARATIVE CLIMATE AND GRAIN FARMING OF CALIFORNIA.

We invite the reader's attention to the following rain tables for California, England, and the Atlantic Slope, and ask from him a careful consideration of the comparisons and deductions succeeding them.

As a matter of interesting comparison to agriculturists, we append also a table of rain at Chiswick, near London, England, for the same years shown in the two tables which precede it, the only difference being that in the table for Chiswick the record commences with January, eighteen hundred and fifty, and ends with December, eighteen hundred and sixty-three, while in the two preceding tables it commences with September, eighteen hundred and fifty, and ends with May, eighteen hundred and sixty-four, or practically with August, eighteen hundred and sixty-four, as there is commonly no rain from June to September.

TABLE

Showing the Amount of Rain at Sacramento, in inches and tenths, of each month and each year for fourteen years; also, the total amount for each corresponding month, the whole amount of rain during that time, the mean amount for each month, and the mean yearly amount, from 1850 to 1864.

COMPILED FROM OBSERVATIONS BY DOCTOR T. M. LOGAN.

MONTHS.	'50-'51	'51-'52	'52-'53	'53-'54	'54-'55	'55-'56	'56-'57	'57-'58	'58-'59	'59-'60	'60-'61	'61-'62	'62-'63	'63-'64	Totals for months.	Mean for months.
September.....	0.000	1.000	0.000	0.003	Sp'kle.	Sp'kle.	Sp'kle.	0.000	Sp'kle.	0.025	0.063	0.000	0.009	0.003	1.003	0.079
October.....	0.000	0.180	0.000	0.005	1.010	0.000	0.195	0.655	3.010	0.000	0.914	0.000	0.259	0.000	6.228	0.445
November.....	Sp'kle.	2.140	6.000	1.500	0.650	0.750	0.651	2.406	0.147	6.485	0.181	2.170	1.489	1.490	26.058	1.861
December.....	Sp'kle.	7.070	13.410	1.540	1.150	2.000	2.396	2.632	4.339	1.834	4.282	8.637	0.786	1.815	51.891	3.707
January.....	0.650	0.580	3.000	3.250	2.670	4.919	1.375	2.444	0.964	2.310	2.668	15.036	1.733	1.077	42.676	3.048
February.....	0.350	0.120	2.000	8.500	3.460	0.692	4.801	2.461	3.906	0.931	2.920	4.260	2.751	1.086	38.244	2.732
March.....	1.888	6.400	7.000	3.250	4.200	1.403	0.675	2.878	1.637	5.110	3.320	2.800	2.360	3.303	44.224	3.159
April.....	1.140	0.190	2.500	1.500	4.320	2.132	Sp'kle.	1.214	0.981	2.874	0.475	0.821	1.693	1.050	21.920	1.566
May.....	0.690	0.300	1.450	0.210	1.150	1.841	Sp'kle.	0.203	1.037	2.491	0.590	1.808	0.355	0.742	12.867	0.919
June.....	0.000	0.000	0.001	0.310	0.010	0.633	0.350	0.098	0.000	0.017	0.135	0.011	0.000	.....	0.965	0.069
July.....	0.000	0.000	0.001	0.000	0.000	0.000	0.000	0.012	0.000	0.030	0.549	0.000	Sp'kle.	.....	0.592	0.042
August.....	0.000	0.000	0.000	Sp'kle.	0.000	0.000	Sp'kle.	Sp'kle.	0.000	0.000	0.000	0.006	0.003	.....	0.009	0.001
Yearly totals.....	4.730	17.980	36.362	20.068	18.620	13.770	10.443	15.003	16.021	22.107	16.097	35.549	11.438	8.596	246.777	17.628

Monthly Maximum.—In fourteen years, January, eighteen hundred and sixty-two, fifteen inches and thirty-six one-thousandths.

Monthly Minimum.—During the fourteen years under consideration there has been forty-two months in which there has not been rain enough fallen at any one time to be measured. These months are distributed as follows:

In September.....	8
In October.....	6
In November.....	1
In December.....	1
In April.....	1
In May.....	1
In June.....	4
In July.....	9
In August.....	11

Yearly maximum—'52-'53.....	36.362
Yearly minimum—'50-'51.....	4.730
Maximum for fourteen corresponding months—December.....	51.891
Greatest monthly average, or mean, for same time—December.....	3.703
Least monthly average, or mean, for same time—August.....	0.001
Minimum for fourteen corresponding months—August.....	0.009
Whole amount of rain in fourteen years.....	246.777
Average quantity per annum.....	17.628

A CORRESPONDING TABLE FOR SAN FRANCISCO.

Besides a general interest, an opportunity for comparing the Rain Records at the Coast and in the Interior, is hereby afforded.

COMPILED FROM OBSERVATIONS BY DOCTOR HENRY GIBBONS.

MONTHS.	'50-'51	'51-'52	'52-'53	'53-'54	'54-'55	'55-'56	'56-'57	'57-'58	'58-'59	'59-'60	'60-'61	'61-'62	'62-'63	'63-'64	Totals for months.	Mean for months.
September.....	0.00	1.00	0.00	0.00	0.00	0.00	0.08	0.00	0.00	0.00	0.02	0.00	0.00	0.15	1.05	0.08
October.....	0.00	0.18	0.80	0.10	2.12	0.00	0.50	0.93	3.38	0.00	0.96	0.00	0.00	0.00	8.97	0.64
November	1.25	2.14	5.31	1.43	0.40	1.15	2.90	3.01	0.48	5.43	0.22	3.78	0.14	2.50	30.14	2.15
December	1.15	7.07	11.90	2.05	0.38	5.45	4.00	4.14	4.77	1.51	4.79	6.10	2.73	1.73	57.77	4.13
January.....	0.65	0.58	4.11	4.27	4.52	8.44	2.07	4.36	1.00	1.13	1.24	18.14	3.29	1.31	55.22	3.94
February.....	0.35	0.12	1.16	8.41	4.64	0.43	8.66	1.32	5.22	1.36	2.83	6.11	3.26	0.00	43.87	3.13
March.....	1.88	6.40	4.81	3.17	4.31	1.64	1.50	3.94	2.51	3.06	3.40	1.66	2.42	1.39	42.15	3.01
April.....	1.14	0.19	5.05	3.31	5.59	3.14	0.00	1.14	0.33	1.72	0.26	1.11	2.92	0.93	26.83	1.92
May.....	0.69	0.30	0.32	0.02	2.14	0.88	0.04	0.11	2.03	2.56	0.66	0.91	0.41	0.48	11.65	0.83
June.....	0.00	0.00	0.00	0.04	0.00	0.00	0.14	0.10	0.00	0.00	0.16	0.23	0.00	.....	0.67	0.05
July.....	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.33	0.00	0.00	0.00	.....	0.33	0.02
August.....	0.02	0.00	0.00	0.00	0.00	0.00	0.00	0.04	0.00	0.00	0.00	0.02	0.00	.....	0.08	0.01
Yearly totals.....	7.13	17.98	33.46	22.80	24.10	21.13	19.95	19.08	19.72	17.10	14.54	38.06	15.17	8.49	278.73	19.91

Monthly Maximum.—In fourteen years, January, eighteen hundred and sixty-two, eighteen inches and fourteen one-hundredths; over three inches more than in Sacramento.

Monthly Minimum.—There has been forty-eight months without rain at any one time sufficient to be measured, distributed as follows:

In September.....	10
In October.....	6
In February.....	1
In April.....	1
In June.....	8
In July.....	12
In August.....	10

Yearly maximum—'61-'62.....	38.06
Yearly minimum—'50-'51.....	7.13
Maximum for fourteen corresponding months—December.....	57.77
Greatest monthly average, or mean, for same time—December.....	4.13
Minimum for fourteen corresponding months—August.....	0.08
Least monthly average, or mean, for same time.....	0.01
Whole amount of rain in fourteen years.....	278.73
[A greater quantity by thirty-one inches and ninety-six one-hundredths than fell at Sacramento during the same period—nearly double the yearly average (seventeen inches and sixty-two one-hundredths) at Sacramento; establishing a theory, if it may be so called, that it rains about the same in fourteen years in San Francisco that it does in sixteen years in Sacramento.]	
Yearly average.....	19.91

T A B L E
Of Rains which fell at Chiswick, near London, England, from 1850 to 1864.

MONTHS.	1850.	1851.	1852.	1853.	1854.	1855.	1856.	1857.	1858.	1859.	1860.	1861.	1862.	1863.	Totals for months.	Mean for months.
January.....	1.43	3.07	2.72	2.14	1.92	0.10	1.76	2.09	0.41	0.51	2.18	0.82	1.53	2.19	22.97	1.64
February.....	0.95	0.90	1.06	0.59	0.78	1.35	0.62	0.31	1.48	1.31	1.20	1.41	0.38	0.26	12.60	0.90
March.....	0.13	3.57	0.25	1.48	0.42	1.75	0.97	0.73	0.88	0.77	1.63	1.89	3.74	0.68	18.89	1.35
April.....	1.79	1.65	0.52	2.58	0.30	0.26	1.97	1.77	2.13	2.01	0.95	1.44	2.29	0.54	20.20	1.44
May.....	1.84	0.74	1.74	1.60	4.03	1.94	4.38	0.87	2.05	1.80	3.04	1.31	3.54	1.46	30.32	2.17
June.....	1.40	1.33	4.69	2.54	1.53	1.48	0.88	1.91	0.78	3.10	5.15	2.35	2.23	4.46	33.93	2.42
July.....	2.68	3.90	2.28	4.17	2.40	6.30	1.43	1.22	2.55	2.18	2.72	1.90	2.09	0.80	36.62	2.62
August.....	0.97	2.03	3.71	1.87	1.77	1.45	3.50	2.89	1.46	2.49	4.16	0.50	2.40	1.96	31.06	2.22
September.....	2.36	0.42	3.51	2.41	0.58	1.15	1.99	3.52	1.05	4.05	2.82	1.78	2.74	3.47	31.88	2.23
October.....	1.55	2.01	3.87	3.78	2.61	6.15	2.40	4.01	1.36	2.55	1.50	1.04	3.00	1.56	37.49	2.82
November.....	2.63	0.55	6.20	0.91	1.31	1.34	0.94	1.53	0.10	2.72	2.60	4.10	1.01	1.68	27.02	1.93
December.....	1.15	0.62	1.97	0.30	1.27	1.11	1.88	0.30	1.53	1.95	2.03	0.94	1.49	1.26	17.80	1.27
Annual amount.....	18.28	20.79	32.55	24.37	18.92	24.38	22.72	21.06	15.78	25.54	30.08	19.48	26.54	20.32	320.78	23.06

Monthly maximum in fourteen years—July, 1855.....	6.30
Monthly minimum. January, 1855, November, 1858.....	0.10
Yearly maximum in fourteen years.....	32.55
Yearly minimum in fourteen years.....	15.78
Maximum for fourteen corresponding months—October.....	37.49
Greatest monthly average for same time—October.....	2.82
Minimum for fourteen corresponding months—February.....	12.60
Least monthly average for same time—February	0.90
Whole amount of rain in fourteen years.....	320.78
Average quantity per annum	23.06

It will be observed that the average quantity, as shown above, at London, per annum, is greater, by over five inches, than at Sacramento, and by over three inches, than at San Francisco, and that while the rain on our coast nearly all falls during the winter and spring months, in England, though very evenly distributed throughout the whole year, yet the largest portion falls during the summer and fall months.

In the absence of any tables similar to the foregoing for any places in the Atlantic States, we append the following table, compiled from the Army Register, showing the average annual rain at the several places named, for thirty-three years, so arranged as to show the average of the several seasons—spring, summer, autumn, and winter—as this will answer the general purpose we have in view :

Localities.	Spring.	Summer.	Autumn.	Winter.	Total for Years.
Eastport, Maine.....	8.88	10.05	9.85	10.61	39.39
New York.....	11.55	11.33	10.30	9.63	42.23
Baltimore.....	11.13	11.04	10.53	9.31	42.00
Washington.....	10.45	10.53	10.15	10.07	41.20
New Orleans.....	11.29	17.28	9.62	12.71	50.90
Baton Rouge.....	15.08	19.14	12.48	15.40	62.10
Buffalo.....	8.50	9.23	13.54	7.53	34.96
St. Louis.....	12.86	14.09	8.71	6.29	41.95
Detroit.....	8.51	9.29	7.41	4.86	30.07

When we reflect that the agricultural operations of any country depend more for their success upon the proper adaptation of those operations to the seasons, and particularly to the annual rains, than to any other one circumstance—and in this State we may almost say to all other circumstances combined—a careful study of the above tables by every farmer and natural economist becomes particularly interesting and instructive.

Take, first, the climate of England, governed, or made, if you please, by the influence of the Gulf Stream. It has no extremes of heat and cold, no seasons of alternate drought and excessive wet. As seen by the tables, they have about one eighth more rain there than we do here,

and it is very evenly distributed throughout every month in the year, not one month having occurred during the last fourteen years in which there has not been more or less rain; and the greatest amount of rain which has fallen in any one month (July, eighteen hundred and fifty-five) during that time being six and three tenths inches; while on our coast, at San Francisco, in the same time, there has been forty-eight months, or two sevenths of each year, on an average, in which there has been no rain at all; and our most rainy month, January, eighteen hundred and sixty-two, shows eighteen and fourteen one-hundredths inches, or nearly three times the greatest amount shown in England. And what is peculiarly striking and suggestive in this comparison is the fact that our driest months, namely June, July, August, September, and October, are in England the wettest. In addition to the above, it may be remarked, that during the driest and pleasantest seasons in England the atmosphere is loaded with moisture, and the sun's rays are much of the time obstructed by clouds; while in California, during the summer and autumn months, the atmosphere contains but very little moisture, and the soil is subjected to the unobstructed rays of a burning sun.

Under such a state of facts, is it not plain that the husbandman of California must be careful how he draws his information from, or adopts as a rule of action, "English agriculture," particularly as to the preparation of the soil and the time and manner of planting the crops?

Now, let us look for a moment at the rain tables and seasons of the Atlantic States, as compared with our own. The average yearly amount of rain, in all parts of the Atlantic slope, it will be observed by reference to the tables, is much greater than in our own State or in England—the average at Sacramento being seventeen and sixty-two one-hundredths inches; at San Francisco, nineteen and ninety-one one-hundredths; at Ipswich, near London, twenty-three and six one-hundredths; while the lowest average shown in the above table for the Atlantic States is thirty and seven one-hundredths, at Detroit. And the greatest is sixty-two and ten one-hundredths at Baton Rouge.

The rain in the Atlantic slope, like that in England, is comparatively evenly distributed through the year; but the greatest amount falls during the spring and summer months, and the least during the autumn and winter. There is one fact, however, which the above table for the Atlantic States fails to show—the average of separate months not being stated: that, although more rain falls in the year, or in any three corresponding consecutive months, yet droughts are more severe and of more frequent occurrence than in England, the rains being heavier and not so evenly distributed. And, again, the atmosphere of the summer and autumn, though very moist as compared with that of California during the same period, is still much dryer than that of England, not being affected as that of England is by the ever present condensation of moisture from the heated atmosphere which accompanies the Gulf Stream and spreads over the western coast of Northern Europe.

It may also be mentioned that the Atlantic slope is subject to extremes of heat and cold, to which we of the Pacific, and particularly of California, are strangers. How changed, then, to the agriculturist of Europe or the Atlantic States are all things in California! The seasons entirely unlike; the rains, as to *time* and *quantity*, entirely different; the climate, as a whole, a complete reverse of all he has experienced in either country. Is it strange, then, that the universal verdict of the emigrants from Europe or the Atlantic States, when they first arrived in California in search for gold, was that the country was good for nothing aside from

the mineral it contained—that it was worthless for agricultural purposes? Or, is it less strange that we have yet generally failed to adopt that system of cultivation which is best calculated to insure success.

We were, agriculturally, like a ship at sea, without compass or chart, and with no land marks to guide our course. A few experiments, however, soon taught us that California was not the desert waste she had at first been taken to be. A few carelessly cultivated fields, sown by chance in favorable seasons, produced astonishing crops of grain. The news of these facts spread throughout the mining regions, and miners, who had left the plough at home, and to whom agricultural pursuits, in memory at least, were more congenial than delving in the bowels of the earth, with an uncertain prospect of securing, in a short time, a sufficiency of the precious metals, and partly to escape the rigors of a rainy season in the mountains without house or shelter, hastened to the valleys, located *ranches*, as they were called, after the old Spanish *rancheros*, or *places* where the former inhabitants of the country *stayed* while sojourning and watching their wandering herds. Having thus located, they immediately set to work to break up—or rather scratch up—the virgin soil, preparatory to putting in a crop. Entertaining no thought of becoming permanent residents in the State, and with no idea of ever being able to convert their ranches into valuable farms, these pioneer croppers gave but little heed to the time of putting in the seed, whether in December or March, so that the ground was wet enough to plough; nor to the manner of cultivation, so that the seed was hid from view, and the job done before the dry season set in. This being accomplished, and there being no desire to make improvements on the ranch, which might be abandoned as soon as the crop was off, a season of leisure and consequent idleness followed. Reaping time came, and the season having proved favorable, with it came a bountiful crop and a liberal compensation for the labor performed and the means expended. Encouraged by such *chance* success, the grain growers of California have been repeating the above described routine of cropping, with an additional season of leisure and idleness between marketing one crop and sowing the next. This cropping has generally been done on the same land, without any rest or recuperation, year after year, for the last twelve years, sometimes successful and sometimes unsuccessful, as the seasons have been favorable or unfavorable—that is, as the rain fall has been above an average and continued late in the spring, or until after the sowing was done, or below an average, and fell mostly in the forepart of winter, or before the grain was in the ground.

And such, though it gives us pain to say it, is to a great extent the method of grain farming at the present time, if indeed the term *method* may be applied to a practice in which there is no *system* or *reason*.

Is it any wonder, then, that the grain farmers of California are becoming discouraged—that they are beginning to regard their occupation as uncertain and precarious—or, in that expressive California phrase, as “played out?” Such a method of farming is “played out,” and should have been long since.

But now, while a dry season and a failure of crops to an extent heretofore unknown in the history of the State is affecting our pockets, and putting many of us to our wits' ends for the means to meet our engagements to our fellow men, and our obligations to our Government, in this time of her sorest need, let us pause for a moment and review the situation. Let us appeal to reason, to nature, and to facts, and determine whether we cannot reform the system of grain farming in California, to

such an extent, at least, as to render the business more certain and remunerative, if not more inviting and profitable than elsewhere.

What, then, is the reason in the premises? Our soils, as admitted by all, are not excelled for richness and durability, and for the peculiar adaptation by composition to the growth of grain. As proof of this, we have only to refer to the constant and almost universal good crops on the same land, year after year, even with poor and unnatural cultivation, whenever favored with a sufficiency of moisture. This question of moisture is the great question to the agriculturist in this country.

Since we have a small amount of rain, comparatively, and that confined almost exclusively to one half of the year, it is evident that, to secure good crops, the seed must be sown at such time and the ground must be prepared in such manner as to secure the full benefit of such rains. Time, then, is the first consideration. Our rainy seasons commence in September, and during September, October, and November, with scarcely an exception in the last fourteen years, (as will be seen by reference to the foregoing rain tables.) the ground has received a sufficiency of moisture to germinate the seed and bring forward the grain. Then, too, the ground is warm, and the weather is as favorable for the rapid growth of both top and roots of the young grain as in any of the spring months.

Then *reason* would teach us that the seed should be in the ground by the first of December at least, if not by the first of November. "But," says one of our farmers, "by the present system, although the ground has, as a general thing, been wet enough to start and bring forward the grain in November, yet there has been but two seasons in the last fourteen (eighteen hundred and fifty-one and eighteen hundred and fifty-nine) in which there has been sufficient rain before the first of December to enable the farmer to break up new ground, or stubble, preparatory to sowing." This we admit, and, in answer, would say that the fall of the year is no time to break up new ground or plough stubble, if you desire to secure a crop; and refer to the proposition above laid down, that, to insure success, the ground must be prepared in such manner as to secure the full benefit of all the rains. And this is the second requisite consideration; and this requisite may, in our opinion, be invariably secured by *summer fallowing*. Then, reason says—Summer fallow your grain land.

Now let us see what *nature* teaches, for reason and nature^a generally go hand in hand, and the former should be so directed as to assist the latter. When the Americans first came to this State, in eighteen hundred and forty-eight, eighteen hundred and forty-nine, and eighteen hundred and fifty, nearly all the land now used for grain raising was annually covered with a luxuriant growth of wild oats, frequently attaining a height of from five to six feet, and producing a heavy yield of grain, which matured in May and June, and fell to the ground. In July and August the sun dried the ground to such an extent as to fill the surface with a perfect network of cracks and openings. Into these openings, secure from the reach of stock, worked a sufficient quantity of grain to re-seed the ground. The rains of September and October closed up these openings, and the grain thus sown and covered received, with the ground, the benefit of the first rains, and sprouted up. During the following rainy season, while the ground was soft, the roots penetrated the earth to a depth sufficient to receive the moisture until matured.

And here we have *nature's* system of grain farming in California—as certain and regular as the seasons—fulfilling, as near as nature can, un-

assisted by art, the conditions laid down by reason as necessary to success. And here, too, we have nature's conclusive evidence in favor of the superiority of California as a grain growing country—for what other country, in a state of nature, has ever been known to produce such marvellous crops of grain as old Californians have seen growing on our plains and on our hill sides?

It is true, the natural crops sometimes failed; but, as intimated above, reason and art should be called in to assist nature, and not to change or thwart her operations, and should be so applied as to remedy nature's weak points—so to speak, to remove the cause of her failures.

The principal cause of failure in these instances, every farmer will agree, is to be found in the fact that the ground, being too hard and compact, the moisture contributed to it during the rainy seasons evaporates in the beginning of the dry, before the grain has time to come to maturity. What, then, is the remedy? Certainly it is not to be found in the mode of farming now generally practiced here, for by this mode the grain is not in the ground until much of the most favorable season for growing has passed, and then the soil is frequently left full of lumps, clods, and inequalities of surface—a condition least favorable for retaining the moisture; or in other words, in the most favorable condition for rapid evaporation that can be imagined. Though disconnected with the subject of moisture, yet closely connected with successful or unsuccessful farming, it may be mentioned here that the system of winter ploughing and annual cropping from the same ground entirely loses sight of another important law of nature most rigidly adhered to in her system of farming above described—namely, compensation. While nature returned to the soil annually as much as she took from it, our California farmers are annually taking all they can get, and giving nothing in return, thus violating every important consideration necessary to success. Then, will summer fallowing remedy the trouble? To a great extent, we think, it will. It may secure all the advantages of early sowing, the full benefits of the first rains, and, when properly done, leaves the ground in the most favorable condition possible for retaining the moisture, and gives the land every alternate year to recuperate. Both reason and nature are in its favor; but to settle the question conclusively, we appeal to facts as found in the answers received from reliable farmers in every part of the State to the following circular, addressed to them by this Department:

[Circular.]

ROOMS CALIFORNIA STATE AGRICULTURAL SOCIETY, }
Sacramento, 1864. }

SIR:—Will you do me the favor to forward to me by letter at your earliest convenience, and as nearly as you can, the relative amount of grain, say wheat and barley, per acre raised in your neighborhood during the past year, or few years, upon land summer fallowed and that sown in the ordinary manner. I desire to estimate the annual loss to the State by bad cultivation.

Very respectfully, your obedient servant,

I. N. HOAG, Secretary.

We give extracts:

Hon. William L. Dickinson, Assemblyman from Stanislaus and Merced Counties, says:

"I am safe in saying that a difference of ten bushels per acre is saved by spring ploughing (summer fallowing) the uplands. I am of opinion that this difference will not be made on the bottom lands, as they are of a loose and sandy nature, and are kept moist by the fullness of the

rivers, caused by the melting of the snows in the mountains. The advantage in spring ploughing consists in getting the grain in earlier than otherwise would be possible."

Thomas S. Chamberlain, an extensive farmer in Placer County, and a member of the State Board of Agriculture, says:

"My experience has proven to me that the difference in yield between summer fallowing and land sown in the ordinary way is fully three eighths in favor of summer fallow; that is to say, where a farmer raised one hundred bushels on land sown in the ordinary way, he would have raised one hundred and thirty-seven and a half bushels if he had summer fallowed."

He estimates the loss to Placer County by bad cultivation, or by neglect to summer fallow the land sown to grain, to have been, in eighteen hundred and sixty-three, as follows:

Of barley, bushels.....	22,430
Of wheat, bushels.....	32,750
Total.....	55,180

And then says: "The above estimate will hold good for the last two or three years."

"This year (summer of eighteen hundred and sixty-four) is entirely different from anything we have ever had in this county—caused by the drought. There was about the usual number of acres sown, about one fourth summer fallowed. The summer fallow will yield from a fourth to half a crop; the other will produce from nothing to an eighth."

J. P. Dameron, of the same county, says:

"There is a difference, in ordinary seasons, of at least one third in favor of summer fallowed land. This statement is based upon the experience of our best farmers, who have tested the matter. This season has thoroughly tested the question of summer fallowing land for grain. That sown in the ordinary way will not make an average of ten bushels, while that sown on summer fallowed land will average about twenty. The summer fallow stands the drought, and has matured a full, fine berry, while the other is small and imperfect."

Mr. John Ramon, of Camptonville, Yuba County, says:

"As high up as here no grain is raised, except oats for hay—California wild oats. Those sown early in the fall, on summer fallowed land, produce, except when heaved out by heavy frosts, a certain crop, and the farmer can count on as much again as on lands ploughed and sown during the winter or spring. This mountain land, when favorably situated towards the sun, and not too loose, produces good wheat and barley, but, on account of the rough surface, cannot be cultivated as cheaply as

Honorable J. C. Sargent, of Marysville, Yuba County, says:

E. McDaniel, Assessor of Colusa County, says:

He is decidedly in favor of a plan for using some of the water of the upper Sacramento River to irrigate the tillable land in Colusa County, and says, "with this irrigating system in operation, we have the best land for agricultural purposes in the world."

“On new ploughed land we raise of barley from twenty-five to thirty bushels to the acre. On summer fallowed, from thirty-five to forty. Of wheat, from twenty-five and thirty to thirty-five.”

"I should estimate the amount of grain raised in this neighborhood for the past few years to be about thirty bushels to the acre for summer fallowed land, and about twenty for that sown in the ordinary way, or fully one third in favor of the summer fallow system. The difference this year (eighteen hundred and sixty-four) is even greater, for in most cases where land was *deeply* summer fallowed, the yield is from one third to two thirds in favor of this method."

GRAFTON, Yolo County, }
July 5th, 1864. }

DEAR SIR:—In compliance with the request contained in your circular, I herewith submit a few facts and opinions derived from my experience in regard to summer fallowing, as compared with land tilled in the ordinary manner. During the past six years, I have prepared a portion of my land for grain by this process, and the result has been an average of

forty bushels of wheat per acre, while I am sure that the land ploughed and sowed in the common way has not yielded fifteen bushels per acre in the same space of time, thus realizing a difference of nearly three to one in favor of the fallow ground. Take, for example, the year eighteen hundred and sixty-two, in which I harvested from a fallow crop, fifty bushels (sixty pounds) per acre, while most of my neighbors, as well as myself, raised about half of that yield, or even less, by the common method. Again, in eighteen hundred and sixty-three, I had a piece, containing about ten acres, that yielded, according to the best estimate I could make, thirty bushels per acre, although imperfectly fallowed, while grain grown beside it in the same field, and sown at the same time, produced about six bushels. Some of my neighbors have taken note of these facts, and those who were formerly sceptical are now fully satisfied of the importance and benefit of the fallowing process, and many have broken up their land during the past winter, so as to sow early and receive the benefit of the first rains.

I consider this a subject of very great importance to the grain growers of the State, and one that will scarcely be overestimated by them. It is decidedly the most economical method of farming; a farmer can (if he chooses, and has the means to do so) double the quantity of land he cultivates; or he can raise the same quantity of grain upon half the land that is required by the common method, (and I am convinced that in many seasons the difference would be greater than this,) thus saving half the cost of tillage, seed, and harvesting.

There is another difference in the two modes of farming: the farmer who ploughs his land in advance of the season pushes his business before him, is not pressed for time, but can sow his grain before the heavy rains fall; but he who pursues the other method is always in a hurry when ploughing time commences, and the results, in many cases, are very unsatisfactory.

I consider the practice of summer fallowing peculiarly adapted to the climate of California, especially on clay soils. Though it is as old as Jeremiah, who takes notice of it, (Jer. 4, iii,) it has not been much in favor in this fast country, because, by such means, a smaller number of acres is brought under tillage in the same season, yet it must be admitted that the advantages derived from it are so conspicuous that no reasonable person will condemn it. It is, perhaps, too much to say that the original vigor of partially exhausted soils is always restored by the fallowing process. But there can be no doubt that land in this condition is fertilized by becoming more absorbent of the ammonia and fertilizing gases of the atmosphere, which are brought down by the rains, and contribute to the nourishment of plants, as well as by the preparation of the chemical agencies contained in the soil, which are thus preserved in a state for future use. My experience in grain growing, and my opportunities of judging by the experience of others, have not been extensive, but the results of my observation and experiments have been so gratifying, that I am astonished that every farmer does not practice a system so conclusively excellent and profitable.

Yours, very respectfully,

HENRY GADDIS.

Mr. S. F. Hyde, of Solano County, says:

"There was a piece of barley, of from thirty to thirty-five acres, near the head of Linda Slough, in this county, from which was harvested this year, (eighteen hundred and sixty-four,) five hundred sacks, or very near

one thousand bushels. The land was ploughed late in the spring of eighteen hundred and sixty-three, very deep, and again in the fall or winter. The grain was then sown on it, and ploughed in, and harrowed down level. There was no other grain raised anywhere near this, on account of the drought. Though several pieces were sown in the ordinary way—that is, by ploughing and sowing in the winter—in the immediate neighborhood of this piece, yet they produced nothing. The land on which this grain was raised is adobe or clay soil. Another piece of three acres near me, of similar soil, was ploughed in the spring of eighteen hundred and sixty-three, late, and harrowed down smooth; in January, eighteen hundred and sixty-four, was again ploughed, and the grain harrowed in. This was Sonora wheat, and will yield thirty bushels to the acre. There was not another piece of grain harvested, this year, within ten miles around it on account of the drought."

Mr. J. W. Pirkey, of San Joaquin County, says:

"My opinion, based upon actual experience in grain raising in this county for a number of years, is that double the amount of grain may be produced by summer fallowing the land, than by the usual manner of ploughing and sowing after the rains fall in the winter."

Mr. J. D. Mason, near Ione Valley, Amador County, says:

"There has never been much ground summer fallowed in this vicinity, so that we have no means of knowing the effect here. A few plough the dryest land in the spring and let it remain, and sow in the fall or first rains. It is the opinion here that if the ground is sown in December it is sufficiently early on most of the upland. Better crops are raised on the bottoms, if sown in February or March, than where sown earlier, as there is less growth of straw and more grain. In regard to the drought this season, (eighteen hundred and sixty-four,) one or two farmers in this vicinity have a third of a crop, the greater portion not over a tenth, and some none at all. I do not think this valley (Jackson Valley) averages more than a tenth of the usual crop of hay and grain."

Mr. W. R. Morris, Assessor of Sonoma County, says:

"I have taken promiscuously, from different parts of the county, two thousand acres of wheat, and find the average yield to be about thirty bushels. Six hundred acres of corn, taken promiscuously from the county, gives thirty-eight bushels per acre. Barley, three hundred acres, gives thirty bushels per acre. Oats, one hundred and twenty-five acres, gives forty-three bushels per acre. The greatest yield per acre of wheat, is one hundred acres, fifty bushels per acre; that of corn, sixty bushels. The above is the ordinary way of sowing grain. I know of no land summer fallowed in this county; consequently cannot give you the difference in the two modes of cultivation."

The above estimate is for eighteen hundred and sixty-four. Sonoma has suffered very little from drought this year. Rains continued through this portion of country as late as June.

From Santa Clara County no answers have been received from any

one engaged in grain farming; one from Honorable Joseph S. Wallis is inserted in full. It needs no comment:

MAYFIELD FARM,
April 30th, 1864. }

To I. N. HOAG, Esq.,

Secretary State Agricultural Society, Sacramento:

MY DEAR SIR:—After careful inquiry, I cannot learn that one acre of land in this section of Santa Clara County has ever been summer fallowed. I refer to all the land lying west of Mountain View, within a circuit of six miles, in which about three thousand five hundred acres of land are annually sown to grain, chiefly wheat. I have met several persons who for several years have been engaged in farming in this valley, who did not know what was meant by summer fallow. Others, not fully understanding the benefits growing out of this method of cultivating the soil, thought it would be so expensive a process that they could not afford to adopt it, or even attempt the experiment. They feared the loss of time would prove unprofitable. I am satisfied the large portion of our agricultural population do not understand the great benefits derived from this truly correct, scientific principle of working the peculiar soils of this State. I am not a farmer, having always been accustomed to city life till within the past six years, and during my residence in the country have not raised a pound of grain, devoting my time wholly to pomological and horticultural pursuits; yet my experience in working the grounds of my orchard fully satisfies me that if the farmer in this country would be successful, he must summer fallow his grounds.

I am, my dear sir, yours very truly,

JOSEPH S. WALLIS.

Mr. William O'Donnell, of San José, says:

"I am not very well posted as to grain raising, but I would say, from my observation, summer fallow, put in in good time, will average fifty bushels to the acre, while land ploughed and sown in the winter, in the usual way, will not average more than twenty-five bushels to the acre. There is nothing of so much importance to the farmer as to urge upon him to summer fallow his grain land. The next important thing is to plough deep and put the crops in in good time. It was astonishing to me last summer, (eighteen hundred and sixty-three,) in driving through our valley, to see so many acres of wheat and barley not worth cutting—the effect of shallow ploughing and late sowing.

"The next thing of importance is to save the manure, and use it before the land is exhausted."

Honorable A. Van Leuven, Assemblyman from San Bernardino, says:

"We do not summer fallow, on account of the drought and hot weather, and only commence putting in our land after the rains in the fall. In fact, we cannot plough our lands till then. We irrigate most of the land we cultivate, to get a crop."

Honorable Thomas Scott, member of Assembly from Alameda County, says:

"The amount of wheat and barley per acre raised in my neighborhood for the year eighteen hundred and sixty-three, and a few years previous, was about twenty bushels of wheat and twenty-five of barley, upon land sown in the ordinary manner. The farmers of this county (at least but very few of them) have not adopted the plan of summer fallowing their land. The increase of yield, in my judgment, upon summer fallowed land would be at least one quarter."

Mr. Alexander Dennis, of Jenny Lind, Calaveras County, says:

"The proprietors of four ranches in my immediate vicinity last year worked over their land double the amount they were accustomed to, and the result has been that we who did so have raised from forty-five to fifty bushels of grain to the acre, while adjacent ranches, worked in the ordinary way, have raised scarcely enough to seed them."

"From four years experience, my opinion is that on moist alluvial soils of this State the better way is to plough very early, just as soon as the rains of winter moisten the ground, and let it lay in the furrow from three to five weeks, or more if possible, by which time the soil is sufficiently aired and fertilized, then harrow once, or cross plough, and sow and put in immediately. This mode has produced the finest results in all my observations; and from what I can gather from agriculturists on cereal or uplands, the results of such a course are nearly if not quite equal to summer fallowing. The way I philosophize on it is that in one week after the rainy season has set in, there is more of the elements of fertilization precipitated to the soil in one week than in two months during the summer. This, at any rate, is certain, that all, or nearly all, vegetable fermentation has nearly subsided in three or four weeks from the time the furrows are turned, or after the first rains, consequently the air at the expiration of that time contains but little of the fertilizing gases caused by such decay and fermentation, provided it rains during the last week before sowing, and thus returns to the soil the full strength of such fermentation. This mode, if producing good results, would save the farmer the necessity of having large farms lay idle one year, in order to institute summer fallowing; but, in my opinion, the day is not far distant when summer fallowing on uplands for cereals must be resorted to to raise anything like good crops. On bottom lands, the plan above described, of fallowing one month or more, in my opinion, may be sufficient. In my immediate vicinity there has been raised this year, (eighteen hundred and sixty-four,) twenty thousand bushels of barley, averaging over forty bushels to the acre, all of which lands were fallowed. Other lands did not raise more than one ton of hay to the acre."

"The land lying between here and Stockton has not produced, in all, this season, one quarter enough to seed it for next year. Most of the farmers on those lands are of the order I first mentioned, (following in the footsteps of their fathers and grandfathers,) and consider fallowing all moonshine. I am inclined to think a few years like this will change their views of the matter."

"In conclusion, I will say that in all cases within my experience or observation, summer fallowing, (or temporary, as above described,) has produced fully double the grain on upland, and one third more on bottom land, than similar soils ploughed and immediately put in."

Circulars were sent to many other individuals residing in all parts of the State, but the above are all the answers received. They represent

most of our principal grain growing counties, and may, we think, with safety be taken as a standard for all. An average of the above estimates show an increase of more than eight tenths in favor of the summer fallowing system. That is to say, if ten represents the number of bushels of grain raised on a piece of land sown in the ordinary way, then eighteen would represent the number of bushels raised on the same piece of land if summer fallowed. Then, *reason, nature, and facts* all agree, and in an unmistakable manner point out to the California grain farmer the cause of his failure in the past, and the means of improvement and success in the future. In the light of the above facts, let us see what is the annual loss to the State in the items of wheat and barley by bad cultivation.

In eighteen hundred and sixty, the quantity of wheat and barley raised in California, as shown by the United States census, was—

Wheat, bushels	5,946,619
Barley, bushels	4,507,775
Total	10,454,394

Suppose one tenth of this was raised on land summer fallowed. Then nine tenths—equal to nine millions four hundred and eight thousand nine hundred and fifty-five bushels—could have been increased, by summer fallowing all the land sown, by an addition of eight tenths. Eight tenths of nine millions four hundred and eight thousand nine hundred and fifty-five is seven millions five hundred and twenty-seven thousand one hundred and sixty-four. This, then, is the loss in bushels to the farmers and State for one year—eighteen hundred and sixty. It certainly has been equally as great for each year since, including eighteen hundred and sixty-four—making the whole loss for the last five years equal to thirty-seven millions six hundred and thirty-five thousand eight hundred and twenty bushels. In other words, thirty-seven millions six hundred and thirty-five thousand eight hundred and twenty bushels of grain could have been added to the productions of the State by a proper system of cultivation without increasing the number of acres of land annually cultivated. But this is not all. Could we estimate the damage to the State by the useless exhaustion of the soil, the result of the system of cultivation and waste of fertilizing agencies which has been practiced, and the effects of which we are yet to experience in the deduction from our future crops, we have reason to believe the loss above indicated should at least be doubled, if not quadrupled. But, let us take another view of this matter, for it is only by a discovery and an appreciation of our errors that we are induced to correct them.

Suppose the farmers of California had, for the last five years, cultivated well in wheat and barley, on each alternate year, one half the land they have done, allowing the other half to rest and recuperate alternately—helping it to do so with manure, rotted straw, etc., much of which has been burned and wasted—what would have been the result different from what it now is? We call upon you, farmers, to say whether the following answers do not truthfully indicate that result, and, if so, to commence now to bring about so desirable a change by using the means in your power:

First—Very nearly if not quite the same amount of grain would have been raised, and that of a much better quality.

Second—One half the seed would have been saved.

Third—One half the money paid out for labor and team work in preparing the ground would have been saved, for every farmer could have done nearly all this within his own family. at a time when, by the present system of working, they have had nothing to do; and each year he has been compelled to hire a large number of men and teams in order to rush things, and plough, prepare, and sow during the short time each winter the ground was in a proper condition to work.

Fourth—One half the expense of cutting and gathering the crop would have been saved.

Fifth—All the land cultivated in this manner would have remained strong and vigorous, as good if not better than new.

Sixth—The farmers and their families would have become more and more attached to their occupation, each year more independent and more happy, instead of more and more disgusted with it, and poorer and more miserable.

Seventh—Our State would then have gained an agricultural reputation unequalled and unrivalled, a much larger immigration would have flocked in upon us, all other dependent industrial pursuits would have been invigorated with a proportionate increased success and prosperity, and in their time would have contributed to the general advancement of the whole.

Although this article is already much longer than we intended to write, still we feel called upon by the importance of the subject to remark that there never was a better time than the present for the farmers of California to inaugurate a much needed reform in grain raising. Many of them will have to commence the world again this fall, as it were, anew; will have to buy their seed, and food for themselves, their help, and teams, at a high price. Instead of attempting to put in a large number of acres, then, put in a smaller number, and put that in well; thus save in buying seed, and paying help and feeding them.

The land that was sown to grain last year, and upon which the crops have failed, though, to give it the advantage of the summer fallowing, should have been cross ploughed and harrowed well in April or May, and thus put in a condition to collect the greatest quantity of fertilizing agencies from the heat of the sun and the circulation of the atmosphere during the summer; yet if ploughed early and deep, and well pulverized, may still be in a favorable condition for a crop.

After sowing the grain and covering it well, let the roller (every farmer should own and use one in this country) be put on, and with it pack the surface well together. This presses the mellow soil compactly about the kernel, thus giving it the most favorable condition for a quick and lively germination, so very necessary for its future health, and placing it at the same time in the best state to induce the vigorously started roots to penetrate so deep and obtain such a hold in the ground before the dry season commences as to render a good crop almost a certainty.

COLLECTION AND DISTRIBUTION OF AGRICULTURAL STATISTICS.

The value of correct and reliable statistics of agricultural productions is coming to be understood and acknowledged by the more intelligent of all civilized countries, but Governments are found to be slow in furnishing the means and systematic machinery for the early collection and proper distribution of such statistics among the people.

Knowledge is said to be power, but knowledge is of but little practical value unless generally diffused among those who may be most benefited by its possession.

These observations are peculiarly and forcibly applicable to our own country, where agriculture is and must always be the chief pursuit of the people and reliable support of the Government, and where every citizen is a sovereign and a law maker. Upon our agricultural resources and productions depends our power as a nation, and upon a proper knowledge of those resources and productions depends not only the degree of that power, but its advantageous use and application.

Commerce and manufactures are but the adjuncts of agriculture; the former lives by distributing the productions of agriculture, and the latter by converting those productions into the various forms which render them more useful and convenient to civilized man. Agriculture is the great producer of civilization; commerce and manufactures are its legitimate results and immediate dependents. Hence it is, that agricultural statistics, correctly and timely collected, are so much sought after by careful and successful business men, and are of so much value to commerce and manufactures, and to Governments; while the records of the latter pursuits are principally useful as they indicate indirectly the extent of our agricultural productions. But while the men of commerce, the manufacturers, seek for the earliest and most reliable information as to the quantity and kinds of the products of the soil, and use such information to their own great advantage, and while our Government depends upon these statistics as a basis, in a great measure, in estimating its revenue, both internal and external, and as indicating its strength and power and consequent position among other nations of the earth, yet it is an indisputable and lamentable fact, that the most useful and beneficial application of these statistics, both to the citizen and the Government, is yet

to be made. That branch of industry to which this information should and may be of the most advantage, and which is most entitled to its benefits, is yet to learn or to experience the value of its application. We refer to agriculture itself. It is to the farmers themselves that an early and correct knowledge of what may be and what is produced on the farms of any and every country, should and will be of the most advantage, and through them this knowledge will be rendered of the greatest benefit to the Government. Guided by this valuable and timely intelligence, the farmers will not only be led to cultivate those kinds and varieties of productions best adapted to the soil and the climate, and most demanded by the best interests of the country, but they will be thus enabled to procure for those productions prices regulated honestly by the laws of demand and supply, and not be compelled to receive, as is now too much the case, the fictitious prices regulated by the schemes of speculators. While the farmers are trudging and toiling, in planting, protecting, and harvesting their crops, they have no time or means to ascertain the facts necessary to estimate the demand and supply.

The speculator, on the contrary, stimulated by the prospects of large gains, and having abundant leisure and means, possesses himself of all the facilities, and thus learns each year the amount of productions held over from the last harvest, investigates the average prices paid, keeps himself well posted as to the state and prospect of the growing crops throughout the country, and being thus prepared, makes a very correct estimate of the relative supply and demand, and coolly and systematically calculates his profits.

By a combined effort they operate upon the fears and necessities of the farmers until they obtain the control of the market. When too late the farmers discover that the profits of their year's labor have stepped, instead of into their own pockets, where they legitimately belong, into those of a comparatively few sharpers. Thus, from year to year, their hard earned gains slip from their hands just as they are about to secure them. Their families are deprived of the comforts, and even necessities, which for a whole year past they had been faithfully and diligently striving for, and which they had fondly but vainly anticipated would be their delight to enjoy—to say nothing of the inability of many to pay the interest on the debts, the principal of which they had promised and expected to cancel, and the disappointments and sufferings upon the failure. This is but a half drawn picture, yet through it may be seen enough of the deformities of the whole. It indicates a state of things which should not be permitted to continue in a State which seeks to deal fairly with and do justice to all classes of its citizens. The above considerations, though sufficient in themselves, are not the only ones which should prompt the State government to correct these evils. It requires no very far seeing mind to discover the effect thus produced on the general prosperity of the State, and, as a consequence, the deficiency in the annual receipts of revenue into her Treasury.

To realize these facts in all their truthfulness and force, we have only to reflect how much more a few millions of dollars, retained in the hands of the farmers, and thus fairly distributed through the agricultural portions of our State, in any one year, would add to the general prosperity, than does the same amount deposited in the coffers or expended on the mansions and equipages of a few.

And again, how much more a thorough cultivation of the soil, a proper adaptation of the crops to the same and to the climate, and a judicious division of the kinds, varieties, and quantities of those crops, would add

to the wealth of the State in any one year than does the present defective and unskilful mode of cultivation, the want of adaptation to soil and climate, except by chance, and the superabundance of one kind, at the expense of others more needed and much more profitable.

Repeat this annual estimate year after year for ten years, then for a hundred, and so on *ad infinitum*, and a proper realization of what our State is losing by neglecting to provide, or assist in providing, a thorough system for the collection and distribution of her agricultural statistics.

Section five of the Act of March twelfth, eighteen hundred and sixty-three, organizing this department and defining its duties, reads as follows :

“The Board of Agriculture shall use all suitable means to collect and diffuse all classes of information calculated to aid in the development of the agricultural, stock-raising, mineral, mechanical, and manufacturing resources of the State; shall hold an annual exhibition of the industry and products of the State, and on or before the first day of January of each year in which the Legislature shall be in regular session, they shall furnish to the Governor a full and detailed account of all its transactions, including all the facts elicited, *statistics collected*, and information gained on the subject for which it exists; and, also, a distinct financial account of all funds received, from whatever source, and of every expenditure for whatever purpose, together with such suggestions as experience and good policy shall dictate for the advancement of the best interests of the State; the said reports to be treated as other State documents.”

The duties of the department are thus clearly defined, but the means for the accomplishment of those duties were left unprovided. Prompted by the considerations set forth in the preceding portions of this article, and with a view to supply the necessary means and machinery for the performance of these important duties in a correct and reliable manner, the Secretary, acting under the direction of the Board of Agriculture, prepared a bill, the operations of which, had it passed, in conjunction with a system of correspondence with intelligent and reliable persons in the different counties, relating to the state of the weather and the appearance and prospects of the crops, and the periodical issuance of circulars containing in a condensed form the information thus gained, would have accomplished, it is believed, in a few years, an entire revolution in the mode of conducting the agricultural operations of the State.

Having obtained for it the hearty approval of nearly all the organized District and County Agricultural Societies in the State, he submitted the same to the Committee on Agriculture in the Assembly of the last Legislature. The committee unanimously recommended the same, and introduced it as a substitute for a bill previously introduced by the Honorable Mr. Dodson, of Lake, having the same object in view. Unexpectedly, the bill met with violent opposition from many of the representatives of the mining counties, for the alleged reasons that it sought to gather statistics in regard to the mines and mining interests of the State, which was impractical and unnecessary, and that it would entail an expense on the State greater than the value of the information gained.

To the first objection, though not convinced of its truth, and in order to secure the statistics in regard to agriculture, the representatives of the agricultural counties yielded by striking out of the bill the clause: “The number of acres of mineral land, and the kind of minerals known

to be contained therein, and the probable value thereof." Notwithstanding this, the bill was, after much discussion, finally defeated by the exertions and votes of the representatives of the mining counties arrayed against those of the agricultural.

It is unfortunate for the general interests of the State that there has existed for some years in our Legislature a feeling of distrust between the mining and agricultural portions of the State, having its origin in a desire that all species of property should bear its legitimate portion of the burdens of the government. In attempting to put in practice this very just and equitable proposition, the two interests have been brought in collision—the agriculturists insisting that the mines are property, and should be taxed, while the miners maintain that if they are property, they are of that uncertain and indefinite kind of property which cannot be correctly or equitably assessed, and therefore should not be taxed—that it is sufficient to tax the proceeds after they are extracted from the mine. The whole subject is involved in difficulties and embarrassments, and we do not desire to express an opinion in the premises; but we do desire to protest, in this age of progress and improvement, when emigrants from all the old countries and the Atlantic States are anxiously searching every channel of information from this coast, both in regard to our agricultural and mineral interests, against a policy of legislation the effect of which is to retard the development of the boundless resources of our State.

What we want, above all things, on this coast is the establishment of a proper channel for the collection and distribution, here and elsewhere, of correct and reliable information in regard to our two great leading interests—agriculture and the mines. And he who fails to comprehend the importance of legislation having this end in view, or he who does not recognize in the interests of the one the interests of the other, or in other words, that the prosperity of the one depends upon the prosperity of the other, and that the prosperity of the State depends upon correct and reliable information in regard to both, fails to realize the responsibility of his position as a citizen and a legislator.

No paltry consideration of the expenditure of a few dollars, no local or sectional advantage, or pride of power, should be allowed to interfere when questions affecting the prosperity of all our interests are involved. The State Agricultural Society has ever labored with as much zeal for the advancement of the mineral interests of our State as for those of the agricultural, and this volume is an evidence of the truth of this assertion. It has never interfered with or even expressed an opinion upon the subject of taxing the mines. It has always given its influence in favor of liberal appropriations for the advancement of the geological survey of our State, and now only desires, as the proper medium, to be placed in a position and furnished with the means and machinery to collect and distribute, in an official manner, valuable and reliable information in regard to our agricultural interests and agricultural resources. And it is now becoming to be generally understood that many of those interests, in the shape of valuable vineyards, are located in those portions of the State which but a few years since were considered valuable only for the mines they contained. There are millions of acres of land in the mining counties ten to one more valuable for vineyards and orchards than for mining. We desire to search out this land, and publish to the world its advantages and immense value, not only to the indi-

viduals who may thus be induced to settle and improve it, but to the State at large. In order that this matter may be correctly understood, and that it may be fully discussed, we deemed it proper to say thus much, and to insert a copy of the bill referred to in this record of the Society's transactions:

AN ACT

TO PROVIDE FOR THE COLLECTION AND PUBLICATION OF AGRICULTURAL AND OTHER STATISTICS OF THE STATE.

*The People of the State of California, represented in Senate and Assembly,
do enact as follows:*

SECTION 1. It is hereby made the duty of each County, District, and Township Assessor in this State, at the time of listing or assessing the property in his county, district, or township annually, to ascertain the number of acres of land improved and occupied for agricultural purposes during the preceding year, and the value thereof; the number of acres of mineral land, and the kinds of mineral known to be contained therein, and the probable value thereof; the number of acres in natural and in cultivated grasses or grain for hay, and the number of tons each of cultivated natural wild oats and natural hay produced; the number of acres of wheat, and the number of bushels; the number of acres in barley, and the number of bushels raised; the number of acres in oats, (other than for hay,) and the number of bushels raised; the number of acres in rye, and the number of bushels raised; the number of acres in maize or Indian corn, and the number of bushels raised; the number of acres in buckwheat, and the number of bushels raised; the number of acres in beans, and the number of bushels raised; the number of acres of peas, and the number of bushels raised; the number of acres in potatoes, and the number of bushels raised; the number of acres of onions, and the number of bushels raised; the number of acres in cabbage, and the number of tons raised; the number of acres in carrots, and the number of tons raised; the number of acres in mangel wurzel, beets, and turnips, and the number of tons raised; the number of acres in pumpkins, and the number of tons raised; the number of acres of melons, and the value of the crop; the number of acres in sorghum, and the number of gallons of syrup made; the number of acres in market gardens, and the value of the crops; the number of acres in tobacco, and the number of pounds of cured tobacco made; the number of acres in hemp, and the tons of hemp made; the number of acres of flax, and the tons of flax made; the number of grape vines in bearing, and the number not in bearing; the total number of pounds of grapes raised, and the number of gallons of wine and of pounds of raisins made; the number of each of the following trees and vines in bearing, and the number of each not in bearing, and the value of the product of each kind, to wit: apple, peach, pear, plum, prune, cherry, quince, apricot, nectarine, fig, olive, almond, walnut, chestnut, filbert, orange, lemon, lime, pomegranate, mulberry, raspberry, blackberry, gooseberry, currant, and strawberry; the number of hives of bees, and number of pounds of honey made; the number of horses; of mules; of asses; of work oxen; of milk cows; of other horned cattle; of sheep; of hogs; of goats; of fowls; of turkeys; of ducks; of geese; of pounds of wool

sheared; of pounds of butter made; of pounds of cheese made; of dozens of eggs gathered; of cattle slaughtered, and of their value; of sheep slaughtered, and their value; of hogs slaughtered, and their value; the number of grist mills of steam power, of water power, and run of stone, and bushels of grain, and kinds of same ground; the number of saw mills of steam power, of water power, feet of lumber and thousands of shingles made; the number of quartz mills, and stamps and amalgamating pans in use; the tons of quartz crushed, and quantity and value of the different kinds of minerals produced; the number of mining and irrigating ditches or canals, [and] the length and capacity of each; the number of toll bridges, toll roads, turnpikes, railroads, and the number of miles of each; the number of and kinds of manufacturing establishments of every description, and the quantity and value of articles manufactured, and of such other things as the Secretary of the State Board of Agriculture may direct statistics to be taken of. All the above statistics shall be taken of the preceding year.

SEC. 2. Each Assessor shall, on or before the first day of October, make up, in duplicate, a report of the statistics which the first section of this Act requires to be taken; and, having attached his oath or affirmation to each, as to its correctness, shall file one copy thereof with the Board of Supervisors of his county, and shall transmit the other, by mail, to the Secretary of the State Board of Agriculture, at Sacramento, and pay the legal postage thereon. This report shall be made in such form as the Secretary of the State Board of Agriculture may direct, and upon blanks to be furnished by him; and for making such report, and for all time necessarily spent in collecting the statistics required, in addition to the time necessary for making the assessment, the Assessor shall receive the same per diem, to be audited and paid in the same manner as for making up the assessment; *provided*, however, that the several Boards of Supervisors are hereby prohibited from auditing or allowing any salary or compensation to any Assessor for over one half the time spent by himself, or any of his Deputies, in making the assessment or collecting the statistics required, until such Assessor shall have produced the receipt of the Secretary of the State Board of Agriculture for the report herein required; and *provided*, also, that the Assessor who shall make up and present the best and most comprehensive statistical report of the productions of his county, district, or township, together with the best general descriptive report of the characteristics and capabilities of his county, district, or township, shall receive the sum of seventy-five dollars; and the Assessor who shall make up such second best statistical and general report, shall receive the sum of fifty dollars; such premiums to be awarded by the State Board of Agriculture, and paid out of the money appropriated by the Legislature to the State Agricultural Society for premiums.

SEC. 3. It is hereby made the duty of the Secretary of the State Board of Agriculture to prepare blank forms for gathering and reporting the statistics, and cause a sufficient number of the same to be printed, and transmitted to each Assessor in the State, before the first day of March of each year, together with a circular containing full instructions to said officers. He shall, also, prior to the first day of December of each year, compile, from the returns of the Assessors, tables of the agricultural, mineral, and manufacturing productions of the State, and, in connection with the report of the transactions of the Board of Agriculture, furnish the same to the Governor, who shall cause such report and statistics to be printed and published annually, and shall communicate

copies thereof to the Legislature, at the beginning of each regular session. The printing required by this Act shall be done by the State Printer, and shall be paid for as other public printing.

SEC. 4. This Act shall take effect immediately; and all Acts and parts of Acts requiring the Surveyor-General to furnish instructions or blanks to Assessors, and requiring Assessors to make reports of statistics or otherwise to the Surveyor-General, and all Acts and parts of Acts conflicting with the provisions of this Act, are hereby repealed.

STATISTICAL TABLES.

TABLE OF STATISTICS

Compiled from the Official Reports of County Assessors for the Year 1863, returned to the Surveyor-General.

COUNTIES.	Acres of Land inclosed	Acres of Land cultivated.....	WHEAT.		BARLEY.	
			Acres.....	Bushels.....	Acres.	Bushels.....
Alameda.....	81,460	84,320	.....	.....	.....	.....
Amador.	38,483	10,290	.....	.....	.....	.....
Butte.....	100,000	60,000	20,000	400,000	15,000	500,000
Calaveras.	106,676	12,182	.....	.....	.....	.....
Colusa.....	107,000	43,000	17,530	.....	19,000	.....
Contra Costa .....	.....	.....	.....	.....	.....	.....
Del Norte.....	.....	.....	.....	.....	.....	.....
El Dorado.....	212,500	31,000	165	.....	1,975	.....
Fresno.....	.....	.....	.....	.....	.....	.....
Humboldt.	15,036	4,419	973	29,055	109	4,375
Klamath	2,185	1,383	.....	.....	.....	.....
Lake.....	24,550	4,593	.....	.....	.....	.....
Los Angeles. ....	.....	.....	.....	.....	.....	.....
Marin.....	121,274	10,808	3,057	122,280	680	27,200
Mariposa.....	9,538	2,572	.....	.....	300	9,000
Mendocino.....	95,500	50,400	.....	.....	.....	.....

Merced	18,417	15,000	1,530	25,840	3,750	75,090
Mono.....						
Monterey.....	117,400	22,191	3,270	63,400	6,780	834,200
Napa	80,000	35,000	30,000	600,000	2,400	72,000
Nevada.....						
Placer.....	136,976	21,100	4,509	71,048	2,950	49,874
Plumas.....						
Sacramento.....	98,980	32,043	6,185	152,000	11,630	327,000
San Bernardino	20,000	15,000				
San Diego.....	4,500	3,000				
San Francisco.....			902	34,240		7,240
San Joaquin	263,400	175,000	60,000	600,000	70,800	566,400
San Luis Obispo	10,000	3,000	500	5,000	1,500	22,500
San Mateo.....	120,200	35,000	12,250	238,250	3,260	96,800
Santa Barbara	4,500	1,500	50	1,200	50	2,000
Santa Clara.....	380,000	165,000	77,000	1,250,000	20,000	400,000
Santa Cruz.....	56,340	18,003	7,020	161,992	2,862	103,775
Shasta.....						
Sierra.....	12,300	700			18	1,000
Siskiyou.....	54,000	28,000	4,700	70,000	4,000	80,000
Solano.....	360,582	82,828				
Sonoma.....	193,161	47,794				
Stanislaus	28,000	10,653	2,542	32,120	2,648	64,500
Sutter	84,300	25,700		105,600		160,000
Tehama.....	51,736	14,612	7,280	127,286	6,205	87,262
Trinity	8,457	2,534	100	2,500	156	3,000
Tulare.....	25,000	10,225				
Tuolumne	89,632	29,678	965	5,190	2,855	3,458
Yolo.....	110,000	50,976				
Yuba.....	165,840	38,480	2,680	50,648	12,460	326,800
Totals.....	3,407,923	1,197,984	263,208	4,147,649	191,388	3,833,674

Mered	.....	35	709	400	7,030	.....	.....	.....	.....
Mono	.....	.....	.....	.....	.....	.....	.....	.....	.....
Monterey	300	.....	.....	200	4,000	45	900	250	5,000
Napa	825	30	600	600	.....	25	.....	25	.....
Nevada	.....	.....	.....	.....	.....	.....	.....	.....	.....
Placer	347	26	60	9	60	.....	.....	.....	.....
Plumas	.....	.....	.....	.....	.....	.....	.....	.....	.....
Sacramento	536	5	114	281	4,925	.....	.....	.....	.....
San Bernardino	.....	.....	.....	.....	.....	.....	.....	.....	.....
San Diego	.....	.....	.....	.....	.....	.....	.....	.....	.....
San Francisco	80	.....	.....	.....	.....	.....	.....	.....	600
San Joaquin	1,000	700	10,000	600	18,000	300	6,000	20	1,000
San Luis Obispo	200	.....	.....	2,000	80,000	.....	.....	1,000	30,000
San Mateo	6,000	.....	.....	.....	.....	.....	.....	50	1,000
Santa Barbara	.....	.....	.....	150	2,400	.....	.....	.....	.....
Santa Clara	2,000	.....	.....	400	14,000	.....	.....	.....	.....
Santa Cruz	909	.....	.....	198	3,943	213	4,316	59	2,095
Shasta	.....	.....	.....	.....	.....	.....	.....	.....	.....
Sierra	.....	.....	.....	.....	.....	.....	.....	.....	.....
Siskiyou	8,800	250	1,500	300	5,000	.....	.....	20	.....
Solano	.....	.....	.....	.....	.....	.....	.....	.....	.....
Sonoma	.....	.....	.....	.....	.....	.....	.....	.....	.....
Stanislaus	.....	.....	.....	200	4,410	.....	.....	.....	.....
Sutter	.....	.....	.....	.....	1,600	.....	.....	.....	.....
Tehama	37	3	40	168	5,894	.....	.....	10	275
Trinity	50	.....	.....	40	1,000	.....	.....	5	125
Tulare	.....	.....	.....	.....	.....	.....	.....	.....	.....
Tuolumne	.....	.....	.....	.....	.....	.....	.....	.....	.....
Yolo	.....	.....	.....	.....	.....	.....	.....	.....	.....
Yuba	1,230	14	240	2,240	58,485	.....	.....	.....	.....
Totals	36,879	1,163	17,263	9,355	226,579	583	11,216	2,033	61,770

TABLE OF STATISTICS—Continued.

COUNTIES.	BEANS.		POTATOES.		SWEET POTATOES.		ONIONS.		HAY.	
	Acres.....	Bushels.....	Acres.....	Bushels.....	Acres.....	Bushels.....	Acres.....	Bushels.....	Acres.....	Tons.....
Alameda										
Amador.....										
Butte.....									10,000	12,000
Calaveras									9,560	10,000
Colusa.....	40									
Contra Costa										
Del Norte.....										
El Dorado.....									5,100	6,000
Fresno										
Humboldt	14	400	225	37,980					150	600
Klamath.....										
Lake.....										
Los Angeles. . .										
Marin.....			2,115	253,800					1,500	3,000
Mariposa.....	10		150	15,000			10	2,000	2,000	3,000
Mendocino.....										
Merced.....	93	1,300	210	6,700	25	900			1,430	1,720

Mono.....	380	7,600	346	84,400	.....	.....	4	200	5,780	11,560
Monterey ..	60	.....	40	8,000	.....	.....	.....	.....	5,000	7,500
Napa.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Nevada .....	.....	.....	92	14,006	.....	.....	.....	.....	6,481	5,608
Placer.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Plumas .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Sacramento	4	504	227	13,000	220	27,335	.....	.....	15,441	11,772
San Bernardino.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
San Diego.....	37	750	200	19,150	4	400	48	2,200	1,140	1,750
San Francisco.....	25	1,700	1,250	125,000	20	2,500	100	8,000	40,000	42,000
San Joaquin.....	2,000	70,000	500	5,000	.....	.....	100	1,200	3,000	9,000
San Luis Obispo.....	400	20,000	2,000	200,000	.....	.....	100	1,400	10,000	8,500
San Mateo.....	730	22,000	250	2,500	.....	.....	16	200	300	800
Santa Barbara.....	100	2,500	650	64,000	.....	.....	.....	.....	20,000	30,000
Santa Clara.....	1,697	33,589	550	77,299	.....	.....	6	190	3,450	6,440
Santa Cruz.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Shasta.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Sierra.....	30	.....	30	3,000	.....	.....	2	160	12,000	24,000
Siskiyou .....	.....	.....	350	7,000	.....	.....	.....	.....	9,900	19,800
Solano.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Sonoma.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Stanislaus.....	.....	1,100	10	2,000	.....	.....	.....	.....	3,000	2,500
Sutter.....	62	849	.....	7,500	.....	1,100	.....	.....	2,350	4,700
Tehama.....	.....	.....	62	8,975	12	665	3	275	3,158	2,195
Trinity.....	.....	.....	120	9,000	.....	.....	.....	.....	420	840
Tulare.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Tuolumne.....	.....	.....	380	1,500	.....	.....	2	100	1,500	4,361
Yolo.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Yuba.....	.....	.....	141	4,860	.....	.....	16	640	12,468	24,936
Totals	5,682	162,292	9,928	969,670	281	32,900	407	16,565	185,128	254,582

TABLE OF STATISTICS—Continued.

COUNTIES.	FLAX.		HEMP.		TOBACCO.		ALFALFA.		COTTON.		RICE.		CABBAGES—Pounds.....
	Pounds.....	Acres.....	Pounds.....	Acres.....	Pounds	Acres.....	Tons.....	Acres.....	Pounds	Acres.....	Pounds.....	Acres.....	
Alameda.....
Amador
Butte
Calaveras
Colusa	65	.....	.....	.....	.....	.....
Contra Costa	98	.....	.....	.....	.....	.....
Del Norte.....
El Dorado
Fresno
Humboldt.....
Klamath
Lake.....
Los Angeles.....	25	.....	.....	.....	.....	.....	.....	.....	.....
Marin	25,000	.....	.....	.....	.....	.....	.....	.....	18,000
Mariposa
Mendocino
Merced.....	40	.....	.....	.....	.....	.....
	75	.....	.....	.....	.....	.....

[illegible]

TABLE OF STATISTICS—Continued.

COUNTIES.	Acres of Sugar Cane.....	Acres of Broom Corn.....	Pounds of Butter.....	Pounds of Cheese.....	Dozens of Eggs.....	Pounds of Wool.....	Bee Hives.....	Pounds of Honey.....
Alameda.....
Amador.....
Butte.....	60,000	5,000	40,000	150,000	400	4,000
Calaveras.....	40,000	.....	23,700	122,370	870	.....
Colusa.....	96	.....	.....	.....	.....	.....	.....
Contra Costa.....	50	75
Del Norte.....
El Dorado.....
Fresno.....	21,610	1,900	8,630	1,000	205	359
Humboldt.....
Klamath.....
Lake.....
Los Angeles.....
Marin.....	200,000	600,000	9,000	25,000	130	6,000
Mariposa.....	2,500	500	20,000	10,000	30	1,500
Mendocino.....
Merced.....	7,360	50	5,690	215,780	430	4,000

[illegible]

TABLE OF STATISTICS—Continued.

COUNTIES.	LIVE STOCK.									
	Horses—American	Horses—Spanish (Tame).	Horses—Spanish (Wild)...	Horses—Total Number...	Mules.....	Asses	Cows.....	Calves.....	Stock Cattle	Beef Cattle.....
Alameda.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Amador.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Butte	2,150	1,800	700	4,650	1,418	100	6,105	2,800	4,150	1,500
Calaveras.....	459	1,584	.....	2,043	529	137	.....	.....	.....	.....
Colusa.....	.....	.....	.....	6,327	923	4	6,350	6,110	18,550	.....
Contra Costa .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Del Norte.....	100	50	.....	150	60	.....	200	175	400	.....
El Dorado .....	.....	.....	.....	3,003	1,341	41	2,792	1,012	2,831	.....
Fresno.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Humboldt	2,067	.....	.....	2,067	315	8	5,197	8,253	.....	2,168
Klamath.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Lake .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Los Angeles.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Marin	476	1,540	1,752	3,768	84	3	8,300	.....	19,850	1,200
Mariposa.....	250	800	.....	1,050	250	75	1,100	800	2,500	2,000
Mendocino.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Merced .....	.....	.....	.....	3,075	917	10	.....	.....	.....	.....

[illegible]

TABLE OF STATISTICS—Continued.

COUNTIES.	LIVE STOCK—Continued.									
	Oxen.....	Total Number of Cattle..	Sheep.....	Goats.....	Hogs.....	Chickens.....	Turkeys.....	Ducks.....	Geese.....	Guinea Fowls.....
Alameda.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Amador.....	400	14,955	48,000	250	30,500	52,000	3,000	200	180	.....
Butte.....	.....	8,440	15,115	.....	4,491	15,748	.....	.....	.....	.....
Calaveras.....	.....	.....	65,370	227	18,738	9,359	7,583	973	273	150
Colusa.....	180	31,190	.....	.....	.....	.....	.....	.....	.....	.....
Contra Costa.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Del Norte.....	100	875	40	30	300	600	50	20	.....	.....
El Dorado.....	1,270	7,905	1,742	640	3,100	.....	.....	.....	.....	.....
Fresno.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Humboldt.....	664	16,282	579	27	3,344	5,231	115	196	184	.....
Klamath.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Lake.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Los Angeles.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Marin.....	1,020	30,370	8,300	.....	1,800	12,500	700	1,100	500	.....
Mariposa.....	500	16,900	5,700	150	4,000	12,000	6,000	150	65	.....
Mendocino.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Merced.....	40	63,700	87,000	700	7,635	5,700	580	110	.....	.....

[illegible]

TABLE OF STATISTICS—Continued.

COUNTIES.	STOCK SLAUGHTERED.					
	CATTLE.		HOGS.		SHEEP.	
	Number.....	Value.....	Number.....	Value.....	Number.....	Value.....
Alameda						
Anador.....						
Butte.....	2,748		4,818		2,700	
Calaveras.....						
Colusa						
Contra Costa						
Del Norte.....						
El Dorado.....						
Fresno.....			1,000		100	
Humboldt	500					
Klamath						
Lake						
Los Angeles.....						
Marin.....	1,500		400		300	
Mariposa.....	7,500	\$22,500	6,000	\$24,000	5,000	\$10,000
Mendocino.....						
Merced.....						

Mono	7,480	47,400	250	2,500	1,500	2,250
Monterey						
Napa						
Novada	5,305		2,365		4,758	
Placer						
Plumas						
Sacramento						
San Bernardino						
San Diego	38,400		27,240		58,290	
San Francisco	4,800	50,000	2,800	20,000	4,500	8,000
San Joaquin	6,000		100		4,000	
San Luis Obispo	1,900	15,000	500	2,500	1,500	3,000
San Mateo	8,000	32,000	100	100	5,000	5,000
Santa Barbara						
Santa Clara	1,215	14,580				
Santa Cruz			1,044	9,400	825	2,075
Shasta						
Sierra						
Siskiyou	2,800	34,000	2,000	17,500	1,100	6,000
Solano						
Sonoma						
Stanislaus	600		200		500	
Sutter						
Tehama	724		3,298		856	
Trinity	1,437		746		436	
Tulare						
Tuolumne	1,320	6,600	400	2,000	300	
Yolo						
Yuba	6,828	68,280	4,480	18,920	6,420	12,840
Totals	99,057	\$290,360	57,741	\$96,920	98,085	\$49,165

TABLE OF STATISTICS—Continued.

IMPROVEMENTS.								
COUNTIES.	GRIST MILLS.							Bushels of Grain ground.....
	Number.	Steam Power.....	Run of Stone.....	Value of Steam Mills.....	Water Power.....	Run of Stone.....	Value of Water Power Mills....	
Alameda .....	.....	.....	.....	.....	.....	.....	.....	.....
Amador.....	4	1	.....	\$10,000	3	7	\$100,000	.....
Butte .....	.....	.....	.....	.....	.....	.....	.....	.....
Calaveras.....	.....	.....	.....	.....	.....	.....	.....	.....
Colusa.....	1	1	2	.....	.....	.....	.....	.....
Contra Costa.....	.....	.....	.....	.....	.....	.....	.....	.....
Del Norte.....	.....	.....	.....	.....	.....	.....	.....	.....
El Dorado.....	2	.....	.....	.....	2	4	3,000	18,200
Fresno.....	.....	.....	.....	.....	.....	.....	.....	.....
Humboldt.....	4	2	2	8,000	2	2	3,000	10,000
Klamath .....	.....	.....	.....	.....	.....	.....	.....	.....
Lake.....	.....	.....	.....	.....	.....	.....	.....	.....
Los Angeles.....	.....	.....	.....	.....	.....	.....	.....	.....
Marin .....	.....	.....	.....	.....	.....	.....	.....	.....
Mariposa.....	.....	.....	.....	.....	.....	.....	.....	.....
Mendocino.....	.....	.....	.....	.....	.....	.....	.....	.....
Merced	4	.....	.....	.....	4	8	9,000	29,000

[illegible]

TABLE OF STATISTICS—Continued.

IMPROVEMENTS—Continued.						
COUNTIES.	SAW MILLS.					
	Number.....	Value.....	Steam Power.....	Water Power....	Number of feet of Lumber sawed.	Shingles.....
Alameda.....	.....	.....	.....	.....	.....	.....
Amador.....	.....	.....	.....	.....	.....	.....
Butte.....	19	\$48,000	11	8	5,180,000	.....
Calaveras.....	12	20,600	7	5	.....	.....
Colusa.....	2	.....	1	1	.....	.....
Contra Costa.....	.....	.....	.....	.....	.....	.....
Del Norte.....	1	.....	.....	1	30,000	.....
El Dorado.....	36	.....	24	12	18,900,900	.....
Fresno.....	.....	.....	.....	.....	.....	.....
Humboldt.....	7	.....	4	3	8,000,000	3,000,000
Klamath.....	.....	.....	.....	.....	.....	.....
Lake.....	.....	.....	.....	.....	.....	.....
Los Angeles.....	.....	.....	.....	.....	.....	.....
Marin.....	2	.....	2	.....	11,705,500	.....
Mariposa.....	10	50,000	10	.....	16,000,000	255,000
Mendocino.....	.....	.....	.....	.....	.....	.....
Merced.....	.....	.....	.....	.....	.....	.....

Mono	1					1			
Monterey	4					2			
Napa	16					7		7,950,000	
Nevada									
Placer	1		4,000			1		600,000	
Plumas									
Sacramento									
San Bernardino									
San Diego									
San Francisco									
San Joaquin									
San Luis Obispo	6					6		4,500,000	18,000,000
San Mateo									
Santa Barbara	10					3		9,500,000	
Santa Clara	13					6		2,500,000	1,000,000
Santa Cruz									
Shasta	22							7,000,000	
Sierra	12		36,000			1			
Siskiyou									
Solano									
Sonoma									
Stanislaus									
Sutter									
Tehama	1							300,000	630,000
Trinity	6								
Tulare									
Tuolumne	14					7		4,750,000	
Yolo									
Yuba	23					17		14,820,000	82,000
Totals	218		\$158,600			109		111,735,500	229,967,000

TABLE OF STATISTICS—Continued.

IMPROVEMENTS—Continued.

COUNTIES.	QUARTZ MILLS.			MINING DITCHES.			FERRIES.		TOLL BRIDGES.	
	Number.....	Value.....	Number of tons of Quartz crushed..	Number.....	Value.....	Miles in length....	Number.....	Value.....	Number.....	Value.....
Alameda.....
Amador.....
Butte.....	8	\$150,000	167	6	\$30,000	3	\$18,000
Calaveras.....	32	\$48,300	.....	58	157,550	594	6	3,400	4	13,500
Colusa.....	4	.....	.....	.....
Contra Costa.....
Del Norte.....	2	.....	11	1	.....	2	.....
El Dorado.....	6	.....	.....	60	.....	665	.....	.....	10	.....
Fresno.....
Humboldt.....	3	.....	.....	.....
Klamath.....
Lake.....
Los Angeles.....
Marin.....
Mariposa.....	25	250,000	125,000	10	.....	75	3	.....	.....	.....
Mendocino.....
Merced.....	2	12,000	.....	.....

[illegible]

TABLE OF STATISTICS—Continued.

IMPROVEMENTS—Continued.									
COUNTIES.	TURNPIKE ROADS.				RAILROADS.				
	Number	Miles in Length....	Cost.....	Income	Cost of Repairs.....	Number	Miles in Length....	Cost.....	Income
Alameda .....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Amador.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Butte.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Calaveras.....	1	.....	.....	.....	.....	.....	.....	.....	.....
Colusa. ....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Contra Costa.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Del Norte.....	1	50	\$50,000	.....	.....	.....	.....	.....	.....
El Dorado.....	17	125	.....	.....	.....	.....	.....	.....	.....
Fresno.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Humboldt.....	.....	.....	.....	.....	.....	1	24	\$20,000	.....
Klamath.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Lake .....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Los Angeles.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Marin.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Mariposa.....	4	20	40,000	\$7,000	\$2,000	1	4	50,000	.....
Mendocino.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Merced.....	1	.....	1,500	.....	.....	.....	.....	.....	.....

[illegible]

TABLE OF STATISTICS—Continued.

COUNTIES.	HORTICULTURAL PRODUCTS—NUMBER OF TREES AND VINES.							
	Apple.....	Peach.....	Pear.....	Plum.....	Cherry.....	Nectarine.....	Quince.....	Apriect.....
Alameda.....	.....	.....	.....	.....	.....	.....	.....	.....
Amador.....	.....	.....	.....	.....	.....	.....	.....	.....
Butte.....	20,000	150,000	7,000	2,000	1,000	6,500	350	3,128
Calaveras.....	29,844	22,181	5,480	2,887	1,179	.....	.....	1,377
Colusa.....	17,300	31,280	2,640	2,400	2,360	1,230	85	791
Contra Costa.....	.....	.....	.....	.....	.....	.....	.....	.....
Del Norte.....	2,000	100	1,000	200	300	.....	10	10
El Dorado.....	8,100	44,310	9,700	5,990	1,495	874	1,141	1,310
Fresno.....	.....	.....	.....	.....	.....	.....	.....	.....
Humboldt.....	26,719	1,076	626	1,229	415	.....	188	40
Klamath.....	.....	.....	.....	.....	.....	.....	.....	.....
Lake.....	.....	.....	.....	.....	.....	.....	.....	.....
Los Angeles.....	.....	.....	.....	.....	.....	.....	.....	.....
Marin.....	3,550	932	363	402	150	.....	350	146
Mariposa.....	400	14,000	500	1,700	205	382	110	275
Mendocino.....	.....	.....	.....	.....	.....	.....	.....	.....
Merced.....	4,480	5,200	1,853	325	90	130	52	195

Mono	1,275	420	740	284	128	18	65
Monterey	100,000	60,000	15,000	4,000	5,000	1,200	1,800
Napa							
Nevada	36,938	33,727	8,168	3,710	1,892	1,514	816
Placer							
Plumas	76,563	82,480	18,488	5,962	3,748	3,692	3,469
Sacramento							
San Bernardino							
San Diego							
San Francisco							
San Joaquin	25,000	19,200	17,150	12,000	1,400	450	1,500
San Luis Obispo	5,000	4,000	1,500	300	100	50	200
San Mateo	11,000	3,800	3,200	1,500	1,000	400	450
Santa Barbara	1,400	1,600	1,100	300	280	300	950
Santa Clara	165,000	50,000	44,500	9,900	5,500	3,500	3,100
Santa Cruz	36,945	4,017	3,440	2,400	1,260	260	571
Shasta							
Sierra	2,850	3,000	500	100	100	50	120
Siskiyou	4,000	2,000		900	500	16	45
Solano							
Sonoma	1,500	2,500	200	125	100		150
Stanislaus							
Sutter	1,260	13,000	3,000	2,000	780	280	900
Tehama	7,173	18,757	1,626	917	314	109	669
Trinity	6,000	3,500	1,420	285	120	56	37
Tulare							
Tuolumne	54,910	78,005	15,203	1,283	861	241	746
Yolo							
Yuba	38,650	84,624	8,400	4,820	4,500	1,400	6,800
Totals	687,857	732,709	172,797	67,919	34,777	25,395	28,660

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TABLE OF STATISTICS—Continued.

HORTICULTURAL PRODUCTS.—NUMBER OF TREES AND VINES—Continued.									
COUNTIES.									
	Filbert.....	Gooseberry.....	Raspberry.....	Strawberry.....	Grape.....	Tons of Grapes.....	Gallons of Wine.....	Gallons of Brandy.....	Value of Fruit.....
Alameda.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Amador.....	.....	.....	.....	400,000	325,000	205	1,025	.....	.....
Butte.....	2,085	.....	2,200	.....	362,463	.....	.....	.....	.....
Calaveras.....	.....	88	.....	.....	48,469	.....	.....	.....	.....
Colusa.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Contra Costa.....	.....	.....	5,000	.....	.....	.....	.....	.....	.....
Del Norte.....	1,000	.....	.....	.....	.....	.....	.....	.....	.....
El Dorado.....	.....	.....	.....	.....	794,535	.....	.....	.....	.....
Fresno.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Humboldt.....	6,856	.....	3,402	15,800	313	.....	.....	.....	\$2,785
Klamath.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Lake.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Los Angeles.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Marin.....	.....	.....	.....	.....	23,000	40	.....	.....	20,000
Mariposa.....	150	.....	3,500	100,000	18,000	195	15,500	700	20,000
Mendocino.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Merced.....	150	.....	62	2,856	56,307	.....	.....	.....	10,000

[illegible]

TABLE OF STATISTICS—Continued.

COUNTIES.	ASSESSED VALUE OF PROPERTY.					INCREASE OR DECREASE IN VALUE OF PROPERTY.		
	Real Estate.....	Improvements...	Personal Prop-erty	Total Valuation of Property...	Assessed value of Property, 1862	Increase.....	Decrease	
Alameda*	\$2,783,484	.....	\$1,020,756	\$3,804,240	\$4,100,000	.....	\$295,760
Amador*	1,256,549	.....	1,142,434	2,398,983	2,187,708	\$211,275	.....
Butte	1,771,065	.....	1,768,549	3,539,614	2,950,551	589,063	.....
Calaveras	1,171,489	.....	1,279,379	2,450,868	5,248,624	.....	2,797,756
Colusa .....	.....	.....	.....	2,593,875	2,643,809	.....	49,934
Contra Costa*	1,018,730	.....	723,762	1,742,492	1,840,000	.....	97,508
Del Norte	54,670	\$101,064	161,531	317,265	300,435	16,830	.....
El Dorado.....	436,015	1,264,655	1,604,110	3,304,780	3,864,449	.....	559,669
Fresno*	245,569	.....	557,924	803,493	962,985	.....	159,492
Humboldt.....	283,645	271,090	570,965	1,125,700	1,352,790	.....	227,090
Klamath*	96,000	.....	128,620	224,620	291,645	.....	67,025
Lake*	89,755	.....	160,894	250,649	313,246	.....	62,597
Los Angeles*	742,881	.....	879,489	1,623,370	3,065,330	.....	1,441,960
Marin	1,098,083	.....	637,086	1,735,169	1,817,553	.....	82,384
Mariposa	150,000	556,530	733,312	1,439,842	1,536,330	.....	96,488
Mendocino*	.....	.....	.....	1,161,773	1,165,502	.....	3,729
Merced	312,178	531,178	.....	843,356	966,221	.....	122,865
Mono*	325,890	.....	206,060	531,950	310,896	221,054	.....
Monterey	399,060	185,460	810,540	1,395,060	1,297,422	97,638	.....
Napa	1,689,307	835,623	.....	2,524,930	2,937,760	.....	412,830

Nevada*	2,146,995	.....	1,513,618	3,660,613	5,055,370	.....	1,394,757
Placer	601,228	624,893	1,845,851	3,071,912	3,225,248	.....	153,836
Plumas*	81,066	.....	1,121,422	1,202,488	1,070,000	132,488	.....
Sacramento	5,043,650	705,445	3,826,300	9,575,395	8,820,018	755,377	.....
San Bernardino*	158,800	.....	211,988	370,788	417,238	.....	46,450
San Diego	.....	.....	.....	431,989	471,806	.....	39,817
San Francisco	43,135,307	.....	20,920,043	64,055,350	66,531,207	.....	2,475,857
San Joaquin	2,932,508	17,625	2,042,359	4,992,492	4,670,194	322,298	.....
San Luis Obispo	130,806	80,000	402,876	613,686	512,742	100,944	.....
San Mateo	1,719,650	32,260	551,028	2,302,938	2,165,366	137,572	.....
Santa Barbara	407,000	.....	333,900	740,000	819,405	.....	79,405
Santa Clara	2,650,145	1,503,150	1,975,717	6,129,012	6,038,375	90,637	.....
Santa Cruz	671,964	.....	386,708	1,058,672	1,086,918	.....	28,246
Shasta*	408,439	.....	680,263	1,088,702	1,364,998	.....	276,296
Sierra	1,100,285	.....	1,424,121	2,524,406	1,159,205	1,365,201	.....
Siskiyou	514,760	.....	983,432	1,498,192	1,653,000	.....	154,808
Solano*	2,148,264	.....	1,547,779	3,696,043	3,601,171	94,872	.....
Sonoma*	2,049,095	.....	1,628,921	3,678,016	3,990,677	.....	312,661
Stanislaus	275,395	45,286	442,531	763,212	768,058	.....	4,846
Sutter	705,395	352,680	855,419	1,913,759	1,946,076	.....	32,317
Tehama	354,272	315,072	883,074	1,552,398	2,013,749	.....	461,351
Trinity	.....	322,506	539,622	861,128	1,166,414	.....	305,286
Tulare*	308,981	.....	1,077,435	1,085,982	1,266,488	.....	180,506
Tuolumne	766,592	143,125	957,325	1,867,042	2,742,450	.....	875,408
Yolo*	.....	.....	.....	2,458,067	2,322,975	135,092	.....
Yuba	1,062,862	1,427,805	1,994,525	4,485,192	6,187,773	.....	1,702,581
Totals	.....	.....	.....	.....	.....	\$4,270,341	\$15,001,015
	.....	.....	.....	.....	.....	.....	4,270,341
Total Decrease	.....	.....	.....	.....	.....	.....	\$10,530,674

* No report received; figures taken from reports to the Controller.

The preceding tables are taken from the Surveyor-General's annual report. It is a sufficient commentary on their correctness and the efficiency of the system by which they are collected, to state the fact that seventeen counties of the State are not represented in them at all, and others but partially. Of these tables, and of those previously compiled from the same source, and of the system of collecting them, that officer very correctly remarks :

"An examination of the previous tables, as well as the present, will show that there is a defect in the system, and that the end sought is not attained. There are no means of securing correct returns, or perhaps any returns, from the County Assessors. A few of these officers seem to appreciate the importance of these returns, and the sheets bear evidence of careful and intelligent labor; but very many evidently regard their preparation as a useless task, unnecessarily imposed, and appear to think that a few figures, seemingly set down almost at random, will suffice, never reflecting what effect these careless, imperfect statements may have upon a report which is to be the source of all the knowledge we can have of the condition of the State.

"When a return is incorrect or imperfect, its effect is to depreciate the county from which it comes. When any of those multitudes so constantly pouring into the State desire to select their place of abode, will they choose that county whose average yield per acre seems so very small, whose large fruit crop is valueless, whose vines are barren, or whose cattle give back nothing to the dairyman? Let it not be supposed that these people know nothing of and care nothing for statistics. Many of them do both understand and appreciate these sources of information, and have been used to consult them; and when they have not done so directly, they have obtained advice based upon them. It should be remembered that these tables are compiled and published under authority of the State, and form part of its records; that, as a part of the Appendix to the Journal of the Senate, they go to other States, and find place in their libraries; that there, as the sole accessible and presumed reliable authorities, they may be consulted, and form the basis of published articles, which, widely circulated, may influence many minds.

"Much labor is necessary in the preparation of these tables, and it is with regret that I add that I cannot commend them to public confidence. I have endeavored to amend evident errors, or supplied omissions; have stated average values, when fuller statements from neighboring counties have given me the means of making them without great probable variation from the truth. Without this labor, the tables would be absolutely worthless; with it, they are only imperfect approximations; and, surely, this is not what the law and the interests of the State demand. The only remedy I have to propose is the passage of an Act making the necessary appropriation, and authorizing the payment of a premium to each County Assessor who shall present a full report at the required time."

T A B L E,

Showing the Annual Amount of Rain at Sacramento, in inches and tenths, the Annual Assessment of Real and Personal Property in the State, and the Annual Receipts into the State Treasury, as collected upon the property thus assessed, and all other sources, from 1850 to 1863, inclusive.

Years.	Rainfall.	Assessment.	Receipts.
1850.....	36.000	\$57,670,689 00	\$330,796 05
1851.....	4.730	49,231,052 00	366,825 07
1852.....	17.980	64,579,375 00	454,985 84
1853.....	36.362	95,335,646 00	1,022,647 32
1854.....	20.068	111,191,630 00	1,155,537 10
1855.....	18.620	103,887,193 55	723,289 83
1856.....	13.770	95,007,440 97	799,794 99
1857.....	10.443	126,059,461 82	1,215,128 61
1858.....	15.003	123,955,877 00	1,184,221 79
1859.....	16.021	131,060,279 49	1,198,581 81
1860.....	22.107	148,193,540 02	1,292,718 63
1861.....	16.097	147,811,717 16	1,031,529 08
1862.. ..	35.549	160,369,071 81	1,626,278 58
1863.....	11.438	147,104,955 07	2,464,807 01

The foregoing table exhibits the general increase of the State in material wealth in a more reliable manner than any reports of our productions, as now made by the Assessors to the Surveyor-General. In the actual assessment, every piece of property is looked at and valued, and is represented in the above figures from year to year; while the reports of the productions to the Surveyor-General, as that officer remarks, are regarded by many of the Assessors "as a useless task unnecessarily imposed, and they appear to think that a few figures, seemingly set down almost at random, will suffice," and they are, therefore, very incomplete and unreliable.

By a glance at the above table it may also be seen to what extent the prosperity of the State has heretofore been dependent on the seasons. The valuation of the property, and the receipts into the State Treasury dependent on that valuation, running high or low as the seasons have been wet or dry—so that the table of rainfall has been as a barometer to the State's prosperity. We have endeavored to show, in a preceding article, under the head of "Comparative Climate and Grain Farming in California," that the effect of the dry seasons upon the agricultural prosperity of the State may, to a very great extent, be overcome by adopting a different system of cultivating the soil, and we would now call particular attention to the above table, as indicating in a very forcible manner the extent of the direct and immediate interest the State has in providing the means for the collection and diffusion of correct and practical information upon our agricultural and all other industrial pursuits.

STATISTICS, INTERESTING AND INSTRUCTIVE TO FARMERS.

COMPILED FROM THE MERCANTILE GAZETTE.

TABLES,

Showing the Imports and Exports of Wines for the past two years.

Imports.	1862.	1863.
Hogsheads.....	5	20
Pipes.....	219	21
Casks (sixty gallon).....	16,806	5,444
Half casks.....	1,073	830
Quarter casks.....	4,724	1,600
Barrels.....	234	72
Octaves.....	1,419	432
Baskets.....	16,568	31,257
Cases.....	103,188	48,640

Exports.	1862.	1863.
Pipes and casks.....	871	856
Half casks.....	11	92
Quarter casks.....	228	71
Barrels.....	256	151
Octaves.....	33	128
Kegs.....	68	69
Cases.....	6,159	8,994
Baskets.....	1,645	2,235
Packages.....	341	23

A decreasing import and an increasing export trade will be observed. This is as it should be.

The following table is of interest, as showing the increase of the wool product of the State since eighteen hundred and fifty-five :

PRODUCT OF WOOL FOR EACH YEAR FROM 1855 TO 1863, INCLUSIVE.

Years.	Pounds.	Increase per cent.
Eighteen hundred and fifty-five.....	360,000	.....
Eighteen hundred and fifty-six.....	600,000	66
Eighteen hundred and fifty-seven..	1,100,000	83
Eighteen hundred and fifty-eight.	1,428,000	30
Eighteen hundred and fifty-nine.....	2,378,000	66
Eighteen hundred and sixty.....	3,260,000	37
Eighteen hundred and sixty-one.....	4,600,000	41
Eighteen hundred and sixty-two.....	6,400,000	40
Eighteen hundred and sixty-three	7,600,000	19

The following table shows the value of the different articles of California production exported from the State during each of the last three years :

Articles.	1861.	1862.	1863.
Barley.....	\$361,452	\$131,282	\$65,044
Beans.....	10,214	40,599	11,608
Bones.....	1,984	5,400	171
Bran.....	1,131	3,061	1,871
Bread.....	64,892	69,805	65,290
Copper Ore.....	135,240	370,200	719,300
Fish.....	21,828	21,868	11,285
Flour.....	858,425	688,234	767,270
Glue.....	7,320	1,240	930
Hay.....	4,683	10,998	11,914
Hides.....	444,995	947,253	924,567
Horns.....	2,350	2,484	1,807
Leather.....	3,605	11,040	3,773
Limes.....	357	968	2,463
Lumber.....	69,931	149,560	123,084
Mustard Seed.....	1,857	2,417	11,230
Oats.....	156,879	72,045	130,600
Potatoes.....	23,016	12,936	21,828
Quicksilver.....	1,079,850	1,138,961	1,073,078
Skins.....	36,652	25,011	56,338
Silver Ore.....	211,345	34,740	118,109
Tallow.....	35,658	37,740	80,170
Wheat.....	2,702,434	1,372,572	1,754,116
Wine.....	8,000	25,836	80,141
Wool.....	519,577	1,009,194	1,119,098
Sundries of Manufacture.....	27,145	23,843	45,565
Sundries of Agriculture.....	4,936	2,496	7,637
Totals.....	\$6,795,758	\$6,211,788	\$7,208,289

Among the articles which show the greatest increase of export value, will be noticed copper ore, wool, and wine.

The copper mining business of our State is but in its infancy, yet the respectable value and rapid increase of our annual exports foreshadow for it a leading position in our export trade, and the extensive preparations for smelting the ores within our State shows the confidence of our people in the future importance of this branch of mining.

In addition to the value of wool exported, it may be remarked that two establishments at San Francisco—the Mission Mills and San Francisco Company's Factory—have purchased for their own manufacture this year two million and fifty thousand pounds, and there is estimated to be five hundred thousand pounds still in the country.

While our commercial transactions show a rapid increase in the exports of native wines, they also show a corresponding decrease of imports of foreign wines; from which it is seen that we are not only supplying an increasing proportion of an increasing home consumption, but are also answering a largely and rapidly increasing foreign demand; facts going to prove, what had been generally remarked by those interested in the matter, that our native wines are in growing favor, both for home and foreign consumption. The quality is generally approved, age only being wanted. Our product is rapidly increasing, and will soon assume such proportions as will enable us to supply the entire demand for home consumption, and largely increase our export trade—a consummation much to be desired for two very important reasons:

First—Because it will, to that extent, check the export of our gold and silver, and put it in circulation among our own people, thus contributing to the comforts of the people themselves, and enhancing the taxable property of the State.

Second—Because it will contribute much to the health and temperance habits of our people.

It is truthfully and timely remarked by our Superintendent of the National Census Bureau, in his preliminary report of the eighth census, while speaking of the product of wines in the United States, that "more than four million dollars was paid by citizens of the United States, in eighteen hundred and fifty-nine, for imported wines. The amount paid by consumers for a fictitious homemade article, it is perhaps impossible to ascertain. A good native wine may and should at once take the place of the spurious article, and, in a few years, of a large part of the imported. This is the more desirable, inasmuch as the disease which so seriously affects the vineyards of Europe greatly diminishes the quantity and increases the price of good wine, and at the same time tempts producers to practice extensive adulterations. Nothing will effect a substantial temperance reform so certainly and speedily as the production of good wines, in such quantity as to place them within the means of the poor as well as the rich; and every man who plants a vine will be a useful co-operator in the beneficent work of relieving the country from the evils of intemperance, by the substitution of a healthy beverage for the various forms of poisons which take the name of spirits, and concentrate and diffuse misery over the land."

The following table shows the destination of the above exports, and the quantity shipped to each place or country. One of the most striking features noticeable is the certain and steady decline of our exports to Great Britain and Australia, and the no less steady increase to our Atlantic ports, to the coastwise countries north and south of us, and more especially the rapid increase to China. The latter fact presents a pow-

erful argument in favor of the establishment of a steamship line to that country, and calls for the consideration of the matter by the Government. With proper management, the increased demand for our staple products in the Chinese and Japanese countries will insure for California a constant and remunerative market for all her surplus products.

For some years to come we must also supply, in addition to an increased home demand in our own mines, the greater portion of necessities consumed in Nevada Territory. These facts present no mean prospect for the California farmer:

Where to.	1861.	1862.	1863.
New York and Boston.....	\$1,283,381	\$2,465,831	\$2,879,897
Great Britain.....	2,744,537	1,296,889	1,620,812
Australia.....	1,078,118	287,975	398,417
China.....	566,860	589,907	1,010,031
Mexico.....	453,953	539,927	560,312
Peru.....	158,774	216,276	162,094
Hawaiian Islands.....	42,527	47,135	66,930
British Columbia.....	71,315	373,611	260,746
Other countries.....	396,283	394,237	249,449
Totals.....	\$6,795,758	\$6,211,788	\$7,208,289

Including our exports of treasure, the entire exports of the productions of the State, during the past three years, may be classified as follows:

Class of Exports.	1861.	1862.	1863.
Products of the mine.....	\$42,103,193	\$44,105,662	\$47,982,398
Products of agriculture.....	3,265,471	1,645,350	2,013,975
Products of the herd.....	1,041,217	2,027,082	2,182,155
Products of the forest.....	69,931	149,560	134,086
Products of the sea.....	21,828	21,868	11,285
Products of manufacture.....	962,876	798,191	873,854
Products of the vine.....	8,000	25,836	81,456
Totals.....	\$47,472,217	\$48,773,549	\$53,280,209

The above would be a very gratifying exhibit but for the fact that so large a portion of it is the product of the mine, much of which is exported to pay for articles imported which we should produce within our own borders. Take, for instance, the article of butter. It would seem that with the number of stock we have in our State we ought to very nearly supply our market with that article, and yet the facts are that we have imported during the year eighteen hundred and sixty-three, seventy-two thousand two hundred and forty firkins, at one hundred pounds each, making seven million two hundred and twenty-four thousand

pounds. This, at the average price per pound at San Francisco, (see the following table,) twenty-four and one third cents, was worth the handsome sum of one million seven hundred and fifty-seven thousand eight hundred and forty dollars. And very nearly that sum in money has been exported to pay for the same, thus taking that amount from circulation among the farmers of California in one year. They should have produced this butter and received this money, and thus added it to the wealth of the State, and we hope they will take steps to secure it as soon as possible hereafter. There are many other articles, such as hops, tobacco, cigars, almonds, raisins, figs, and prunes, with which a similar illustration may be made, and to which a similar remark may be applied. The importance of this subject of producing for our own consumption many articles now imported is not sufficiently appreciated.

Major Adlum, who introduced into notice the Catawba grape, and induced its extensive cultivation in the United States, very truthfully remarked, in a letter to Nicholas Longworth, its most successful cultivator: "In bringing this grape into public notice I have rendered my country a greater service than I could have done had I paid off the National debt."

So of the man who shall bring into proper notice and cultivation in California the fig, the prune, and the raisin. He will have done the State a greater service than he could have done by paying off her public debt. We are fully convinced, from experience and observation, that there is no country in the world better adapted in every way to their successful production than California. And to appreciate the economical importance of their production by us we have only to refer to facts of commerce: There were imported into the United States in the year eighteen hundred and sixty, six millions thirty-two thousand five hundred and sixteen pounds of figs, at a cost of two hundred and forty-five thousand seven hundred and forty dollars; one million nine hundred and ten thousand eight hundred and fifty-two pounds of prunes, costing one hundred and forty-nine thousand four hundred and ninety-two dollars; and thirty-two millions one hundred and eleven thousand two hundred and ninety-two pounds of raisins, costing one million nine hundred and twenty-three thousand seven hundred and forty-six dollars, making a total cost of these fruits of two millions three hundred and eighteen thousand nine hundred and seventy-eight dollars, for which money or its equivalent had to be exported from the United States. California came in for her proportion, and, though we cannot give the exact figures, we know this was relatively a large one, and our gold went to pay for it. In a few years, by proper exertion our orchardists and vine growers may not only supply our own demand, but that of the whole country, and reap this golden harvest.

AVERAGE PRICES

Of certain Leading Articles of Merchandise for every Month during 1863, and the Average for the whole Year.

ARTICLES.	Jan.	Feb.	March.	April.	May.	June.	July.	August.	Sept.	October.	Nov.	Dec.	Average for Year.
Bread, Pilot, $\text{\textcircled{P}}$ lb.	43 $\frac{1}{2}$	41 $\frac{1}{2}$	41 $\frac{1}{2}$	41 $\frac{1}{2}$	41 $\frac{1}{2}$	41 $\frac{1}{2}$	45 $\frac{1}{2}$	45 $\frac{1}{2}$	45 $\frac{1}{2}$	43 $\frac{1}{2}$	41 $\frac{1}{2}$	43 $\frac{1}{2}$	41 $\frac{1}{2}$
Candles, Adamantine, $\text{\textcircled{P}}$ lb.	17 $\frac{1}{2}$	17 $\frac{1}{2}$	17 $\frac{1}{2}$	17 $\frac{1}{2}$	16 $\frac{1}{2}$	16 $\frac{1}{2}$	18 $\frac{1}{2}$	17 $\frac{1}{2}$	18 $\frac{1}{2}$	17 $\frac{1}{2}$	17 $\frac{1}{2}$	17 $\frac{1}{2}$	17 $\frac{1}{2}$
Coffee, Rio, $\text{\textcircled{P}}$ lb.	20	3 33 $\frac{1}{2}$	2 93 $\frac{1}{2}$	3 00	2 75	2 50	2 50	2 50	2 50	2 50	2 50	2 50	2 50
Cement, $\text{\textcircled{P}}$ bbl.	16 83 $\frac{1}{2}$	16 00	15 50	13 50	13 63 $\frac{1}{2}$	14 50	17 83 $\frac{1}{2}$	21 00	23 00	23 83 $\frac{1}{2}$	25 50	26 00	18 03
Cod, Andruicel, $\text{\textcircled{P}}$ ton	18	18 $\frac{1}{2}$	20	20	21	21 $\frac{1}{2}$	20	21 $\frac{1}{2}$	22 $\frac{1}{2}$	20 $\frac{1}{2}$	8	23	20 $\frac{1}{2}$
Drilling, Bro., $\text{\textcircled{P}}$ yard	77	7	63 $\frac{1}{2}$	46 $\frac{1}{2}$	7	63 $\frac{1}{2}$	73 $\frac{1}{2}$	7 $\frac{1}{2}$	7 $\frac{1}{2}$	7 $\frac{1}{2}$	8	7 $\frac{1}{2}$	7 $\frac{1}{2}$
Dried Apples, $\text{\textcircled{P}}$ lb.	6 33 $\frac{1}{2}$	5 37 $\frac{1}{2}$	5 25	5 00	5 00	5 00	4 60 $\frac{1}{2}$	4 60 $\frac{1}{2}$	4 61 $\frac{1}{2}$	4 62 $\frac{1}{2}$	4 45 $\frac{1}{2}$	4 35	4 53
Flour, California, $\text{\textcircled{P}}$ bbl.	1 70	1 80	1 76 $\frac{1}{2}$	1 58 $\frac{1}{2}$	1 65	1 65	1 63 $\frac{1}{2}$	1 45	1 44 $\frac{1}{2}$	1 29 $\frac{1}{2}$	1 23	1 39	1 53
GRAIN—Wheat, 100 lbs	2 25	2 20	1 93 $\frac{1}{2}$	1 59 $\frac{1}{2}$	1 51 $\frac{1}{2}$	1 66 $\frac{1}{2}$	1 66 $\frac{1}{2}$	1 37 $\frac{1}{2}$	1 37 $\frac{1}{2}$	1 36 $\frac{1}{2}$	1 42 $\frac{1}{2}$	1 45	1 65 $\frac{1}{2}$
Barley, $\text{\textcircled{P}}$ 100 lbs	2 06	2 05 $\frac{1}{2}$	2 87 $\frac{1}{2}$	2 50	2 30 $\frac{1}{2}$	2 87 $\frac{1}{2}$	2 46	1 67 $\frac{1}{2}$	1 78 $\frac{1}{2}$	1 63 $\frac{1}{2}$	1 56	1 50	2 27 $\frac{1}{2}$
Oats, $\text{\textcircled{P}}$ 100 lbs	2 06	2 25	2 87 $\frac{1}{2}$	2 50	2 30 $\frac{1}{2}$	2 87 $\frac{1}{2}$	1 70	1 60	1 63 $\frac{1}{2}$	2 00	1 40	1 38	1 86 $\frac{1}{2}$
Corn, $\text{\textcircled{P}}$ 100 lbs	2 15	15	14	12 75	17 $\frac{1}{2}$	15 19	20 $\frac{1}{2}$	21	20 $\frac{1}{2}$	15 50	20 $\frac{1}{2}$	20 $\frac{1}{2}$	18 $\frac{1}{2}$
Gunny bags, in bales, each	18 33 $\frac{1}{2}$	15 33	14 25	12 75	14 00	15 33	12 66	14 66	15 08	15 50	16 17	17 50	15 13
Hay, $\text{\textcircled{P}}$ ton	10 $\frac{1}{2}$	16	16	14 $\frac{1}{2}$	12 $\frac{1}{2}$	12 $\frac{1}{2}$	13 $\frac{1}{2}$	10	10	10	207 $\frac{1}{2}$	36 $\frac{1}{2}$	15 $\frac{1}{2}$
Hops, Eastern, $\text{\textcircled{P}}$ lb.	42 50	48 33	48 12	46 66	44 17 $\frac{1}{2}$	44 17	47 50	50 87	50 00	48 33	45 87	46 67	46 93
Iron, Scotch Pig, $\text{\textcircled{P}}$ ton	18 50	20 00	19 00	18 33	17 50	16 87	17 00	16 00	16 00	16 00	17 33	19 67	17 68
Lumber, Humboldt, $\text{\textcircled{P}}$ M.	4	4	4	4	4	4	4 $\frac{1}{2}$	5	5	5	4 $\frac{1}{2}$	4 $\frac{1}{2}$	4 $\frac{1}{2}$
Sails, Out, $\text{\textcircled{P}}$ lb.	10 50	10 50	10 50	10 50	10 50	10 50	10 50	10 50	10 50	10 50	10 50	10 50	10 50
Provisions—Beef, Mess, $\text{\textcircled{P}}$ bbl.	14 33	14 33	14 00	14 00	14 00	15 00	20 75	23 00	23 33	24 33	25 00	25 67	19 06
Pork, Mess, $\text{\textcircled{P}}$ bbl.	15 33 $\frac{1}{2}$	16 00	16 00	16 00	16 00	16 00	22 66 $\frac{1}{2}$	24 00	26 00	28 66 $\frac{1}{2}$	30 00	28 33 $\frac{1}{2}$	21 25
Pork, Clear, $\text{\textcircled{P}}$ bbl.	14	14	14	14	16	16 $\frac{1}{2}$	18 $\frac{1}{2}$	13	13	13 $\frac{1}{2}$	20	20	14
Bacon, Eastern, $\text{\textcircled{P}}$ lb.	17 $\frac{1}{2}$	17 $\frac{1}{2}$	17 $\frac{1}{2}$	17 $\frac{1}{2}$	17 $\frac{1}{2}$	17 $\frac{1}{2}$	18 $\frac{1}{2}$	18 $\frac{1}{2}$	20	20	20	20	18 $\frac{1}{2}$
Hams, Billings, $\text{\textcircled{P}}$ lb.	20	20	23	21	20	18 $\frac{1}{2}$	19 $\frac{1}{2}$	13 $\frac{1}{2}$	15	24 $\frac{1}{2}$	28	28	24 $\frac{1}{2}$
Butter, $\text{\textcircled{P}}$ lb.	12 $\frac{1}{2}$	12 $\frac{1}{2}$	12 $\frac{1}{2}$	12 $\frac{1}{2}$	12 $\frac{1}{2}$	12 $\frac{1}{2}$	13 $\frac{1}{2}$	11	11	15 $\frac{1}{2}$	10	16	13 $\frac{1}{2}$
Lard, Cases, $\text{\textcircled{P}}$ lb.	13 $\frac{1}{2}$	12 $\frac{1}{2}$	10	10 $\frac{1}{2}$	11	11	11	11	5 $\frac{1}{2}$	11	12	12	11 $\frac{1}{2}$
Cheese, Eastern, $\text{\textcircled{P}}$ lb.	53 $\frac{1}{2}$	53 $\frac{1}{2}$	5 $\frac{1}{2}$	5 $\frac{1}{2}$	5 $\frac{1}{2}$	5 $\frac{1}{2}$	5 $\frac{1}{2}$	5 $\frac{1}{2}$	5 $\frac{1}{2}$	5 $\frac{1}{2}$	5	5	5 $\frac{1}{2}$
Rice, No. 1, China, $\text{\textcircled{P}}$ ton	18 00	12 50	12 50	13 00	13 33	15 56	18 00	18 00	15 00	13 66	12 33	10 67	14 33
Salt, Carmen Island, $\text{\textcircled{P}}$ ton	68 $\frac{1}{2}$	78 $\frac{1}{2}$	78	87 $\frac{1}{2}$	81 $\frac{1}{2}$	81 $\frac{1}{2}$	87 $\frac{1}{2}$	92 $\frac{1}{2}$	90 $\frac{1}{2}$	1 06	1 05	1 09	89
Spirits—Alcohol, in bbls, $\text{\textcircled{P}}$ gal	47 $\frac{1}{2}$	54 $\frac{1}{2}$	55	56 $\frac{1}{2}$	56 $\frac{1}{2}$	56 $\frac{1}{2}$	60	60	65	65	65	65 $\frac{1}{2}$	58 $\frac{1}{2}$
Brandy, American, $\text{\textcircled{P}}$ gal	38 $\frac{1}{2}$	42 $\frac{1}{2}$	43	48 $\frac{1}{2}$	45 $\frac{1}{2}$	43 $\frac{1}{2}$	46 $\frac{1}{2}$	48 $\frac{1}{2}$	50	55	55	59 $\frac{1}{2}$	48 $\frac{1}{2}$
Pure Spirits, American, $\text{\textcircled{P}}$ gal	41	41 $\frac{1}{2}$	42 $\frac{1}{2}$	47 $\frac{1}{2}$	47 $\frac{1}{2}$	45 $\frac{1}{2}$	46 $\frac{1}{2}$	47 $\frac{1}{2}$	50	55	55	60 $\frac{1}{2}$	52 $\frac{1}{2}$
Whisky, American, $\text{\textcircled{P}}$ gal	42 $\frac{1}{2}$	47 $\frac{1}{2}$	49	48 $\frac{1}{2}$	50	45	50	50	50	60	62 $\frac{1}{2}$	66 $\frac{1}{2}$	52 $\frac{1}{2}$
Rum, N. E., $\text{\textcircled{P}}$ gal	1 70	1 91	2 00	2 00	2 00	2 04	2 35	2 62 $\frac{1}{2}$	2 45	2 45	2 30 $\frac{1}{2}$	2 32 $\frac{1}{2}$	2 17 $\frac{1}{2}$
Spirits Turpentine, $\text{\textcircled{P}}$ gal	3 58 $\frac{1}{2}$	3 50	3 50	3 50	3 56	3 50	3 60	3 60	3 50	3 40	3 40	3 30	3 49 $\frac{1}{2}$
Sardines, half-box, $\text{\textcircled{P}}$ gal	10	10	9 $\frac{1}{2}$	9 $\frac{1}{2}$	9 $\frac{1}{2}$	9 $\frac{1}{2}$	10 $\frac{1}{2}$	11 $\frac{1}{2}$	12	12	12	16	10 $\frac{1}{2}$
SUGAR—No. 1, China, $\text{\textcircled{P}}$ lb.	13 $\frac{1}{2}$	13 $\frac{1}{2}$	12 $\frac{1}{2}$	13 $\frac{1}{2}$	13 $\frac{1}{2}$	13 $\frac{1}{2}$	14 $\frac{1}{2}$	14 $\frac{1}{2}$	15 $\frac{1}{2}$	15 $\frac{1}{2}$	17 $\frac{1}{2}$	16	14 $\frac{1}{2}$
New York, Crushed, $\text{\textcircled{P}}$ lb.	42 00	42 00	42 00	42 00	42 00	42 00	42 00	42 00	42 00	42 00	42 00	42 00	42 00
WINE—Charet, $\text{\textcircled{P}}$ case	3 33 $\frac{1}{2}$	3 50	3 50	3 50	3 50	3 50	3 50	3 50	3 50	3 50	3 50	3 50	3 48 $\frac{1}{2}$
Charet, $\text{\textcircled{P}}$ case	15	14 $\frac{1}{2}$	12 $\frac{1}{2}$	13 $\frac{1}{2}$	13 $\frac{1}{2}$	12 $\frac{1}{2}$	12 $\frac{1}{2}$	12 $\frac{1}{2}$	12 $\frac{1}{2}$	12 $\frac{1}{2}$	11 $\frac{1}{2}$	11 $\frac{1}{2}$	12 $\frac{1}{2}$
Wool—Native American, $\text{\textcircled{P}}$ lb	20	19 $\frac{1}{2}$	19	20	22	20 $\frac{1}{2}$	20 $\frac{1}{2}$	20 $\frac{1}{2}$	19 $\frac{1}{2}$	18 $\frac{1}{2}$	17 $\frac{1}{2}$	17 $\frac{1}{2}$	19 $\frac{1}{2}$

The above are wholesale prices at San Francisco, in gold and silver currency, and many of them assume an importance to the farmer, as furnishing a basis upon which to make his calculations for the future. A system by which the farmers of our State could be periodically, say once in two months, informed of the state of the crops and the ruling prices, would be of inestimable value to the agriculturist, and with the co-operation of the farmers, this Department will endeavor, in the coming year, to put such a system in successful operation.

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